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

September 30, 2021

OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

Mr. Austin R. Evers
American Oversight
1030 15th Street, NW
Suite B255
Washington, D.C. 20005

RE: Freedom of Information Request EPA-HQ-2019-008397, Final Response

Dear Mr. Evers:

This is in response to your Freedom of Information Act (FOIA) request of August 23, 2019, to the U.S. Environmental Protection Agency, requesting any conflicts or ethics waivers or authorizations including authorizations pursuant to 5 C.F.R. § 2635.502 for Peter Wright issued since Mr. Wright joined EPA, etc.

The Office of Land and Emergency Management has concluded its search for records responsive to your request and is providing a portion of the requested records. Portions of the records you requested are being withheld pursuant to 5 U.S.C. § 552(b)(5), the Deliberative Process Privilege, the records are exempt from disclosure because they are pre-decisional and deliberative and would harm agency decision making if released; and 5 U.S.C. § 552(b)(6) Personal Privacy, the records are exempt from disclosure because they contain personal information which would be an unwarranted invasion of personal privacy if released. This information has been redacted. The attached index of withholdings provides further information concerning the withheld records.

This letter concludes our response to your request. You may appeal this response by email at hq.foia@epa.gov, or by mail to the EPA's National FOIA Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2310A), Washington, DC 20460. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 5315, Washington, DC 20001. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The agency will not consider appeals *received* after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." Additionally, you may seek dispute resolution services from the EPA's FOIA Public Liaison at hq.foia@epa.gov or at (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways:

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by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001**;** email, ogis@nara.gov; telephone, (202) 741-5770 or (877) 684-6448; or fax, (202) 741-5769.

If you have any questions concerning this response, please contact Becky Brooks at brooks.becky@epa.gov or at (202) 566-2762.

Sincerely,

SUSAN SMITH Digitally signed by SUSAN SMITH
Date: 2021.09.30 14:19:37 -04'00'

Susan C. Smith
Director
Organizational Management & Integrity Staff

Enclosure(s)

AMERICAN OVERSIGHT

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

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

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understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

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personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

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

JUL 30 2019

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Updated Recusal Statement

FROM: Peter Wright
Assistant Administrator

TO: Andrew R. Wheeler
Administrator

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations. This recusal statement supersedes my July 24, 2018 recusal statement for my prior position as Senior Advisor.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any significant financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

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OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are **Dow Inc.; DuPont de Nemours, Inc. (DuPont); Corteva[1]; the National Association of Wabash Men; and the Lambda Chi Alpha Home Association of Wabash College.**

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[2]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
Dow Inc.	July 8, 2020
DuPont	July 8, 2020
Corteva, Inc.[3]	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first

[1] In 2019, DowDuPont separated into three independent companies: Dow, DuPont and Corteva. Although the creation of Corteva occurred after I left the company, I am nevertheless including it on my recusal list to avoid even the appearance of an ethics issue while I am the Assistant Administrator for OLEM.

[2] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

[3] Although OGC/Ethics does not anticipate that this company is likely to present any issues in OLEM, I am including it out of an abundance of caution.

AMERICAN OVERSIGHT

obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in any matters related to any Superfund sites at which my former employers are a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites involving my former employers that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in particular matters addressed in this recusal statement, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to the Designated Agency Ethics Official and the Alternate Designated Agency Ethics Official.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
David Cozad, Acting Designated Agency Ethics Official
Justina Fugh, Alternate Designated Agency Ethics Official

AMERICAN OVERSIGHT

Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 6/27/2019 4:42:58 PM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Doyle, Brett [doyle.brett@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: Package for Administrator's briefing on the Administrator's Emphasis List
Attachments: Transmittal memo AEL Update.docx

Attached is the cover memo.

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Fonseca, Silvina
Sent: Thursday, June 27, 2019 12:42 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Doyle, Brett <doyle.brett@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: Package for Administrator's briefing on the Administrator's Emphasis List

Good afternoon,

Attached please find the materials for the Administrator's briefing on the Administrator's Emphasis List. The AEL list document included here is a scrubbed version as the Administrator is recused from 2 sites on the AEL. I will forward in a separate email the unscrubbed version and will also send Peter a separate email with a different AEL document that has been scrubbed due to his site recusals.

In addition to the AEL document you will find the briefing papers for the 4 sites under consideration.

If you have any questions please let me know.

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 6/27/2019 4:42:07 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Doyle, Brett [doyle.brett@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: Package for Administrator's briefing on the Administrator's Emphasis List
Attachments: **Deliberative Process / Ex. 5**

Good afternoon,

Attached please find the materials for the Administrator's briefing on the Administrator's Emphasis List. The AEL list document included here is a scrubbed version as the Administrator is recused from 2 sites on the AEL. I will forward in a separate email the unscrubbed version and will also send Peter a separate email with a different AEL document that has been scrubbed due to his site recusals.

In addition to the AEL document you will find the briefing papers for the 4 sites under consideration.

If you have any questions please let me know.

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 3/19/2019 12:20:50 AM
To: Wilbur, Jennifer [Wilbur.Jennifer@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Keller, Melanie [Keller.Melanie@epa.gov]
Subject: RE: Next batch (3) for review - budget fact sheets
Attachments: OSRTI-2 special accts 3 13. ARMS (edits).docx; FFRRO_Oakridge_2020_ARMS (edits).docx

Redlines attached. Will send Portland Harbor separately due to Peter's recusal.
Steven – **Deliberative Process / Ex. 5**

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Wilbur, Jennifer
Sent: Thursday, March 14, 2019 2:08 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>
Subject: RE: Next batch (3) for review - budget fact sheets

Apologies, with attachments

From: Wilbur, Jennifer
Sent: Thursday, March 14, 2019 1:43 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>
Subject: Next batch (3) for review - budget fact sheets

Please see the following for review:

Oak Ridge
Superfund Special Accounts
Portland Harbor

Deliberative Process / Ex. 5

Jennifer M. Wilbur
Senior Budget Officer and Director, Acquisition and Resources Management Staff
Office of Program Management
Office of Land and Emergency Management
U.S. Environmental Protection Agency

AMERICAN OVERSIGHT

Wilbur.jennifer@epa.gov
(202) 566-2756

AMERICAN OVERSIGHT

Message

From: Stoker, Michael B. [stoker.michael@epa.gov]
Sent: 3/29/2019 11:26:50 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Quast, Sylvia [Quast.Sylvia@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Maldonado, Lewis [Maldonado.Lewis@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]
Subject: Re: Request for Amicus Brief in Arconic, Inc., et al. v. APC Investment Co., et al.

Thx for letting me know. Have a great weekend. See you next week.

Michael Stoker
EPA Regional Administrator-Region 9
Cell Ex. 6 Personal Privacy (PP)

On Mar 29, 2019, at 3:22 PM, Wright, Peter <wright.peter@epa.gov> wrote:

> Mike and Slyvia
>
> I am recused from working on the Omega site. I have included others in OLEM and OECA who may have views on this matter.
>
> Peter
>
> **From:** Stoker, Michael B.
> **Sent:** Thursday, March 28, 2019 10:22 AM
> **To:** Quast, Sylvia <Quast.Sylvia@epa.gov>
> **Cc:** Michaud, John <Michaud.John@epa.gov>; Maldonado, Lewis <Maldonado.Lewis@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>
> **Subject:** Re: Request for Amicus Brief in Arconic, Inc., et al. v. APC Investment Co., et al.
>
> John,
>
> **Deliberative Process / Ex. 5**
>
> Michael Stoker
> EPA Regional Administrator-Region 9
> Cell Ex. 6 Personal Privacy (PP)
>
> On Mar 26, 2019, at 11:52 AM, Quast, Sylvia <Quast.Sylvia@epa.gov> wrote:
>
> **Deliberative Process / Ex. 5**

AMERICAN OVERSIGHT

Deliberative Process / Ex. 5 Please don't hesitate to let me know if you have any questions about this and thanks so much for your attention to this matter. Sylvia

From: Maldonado, Lewis
Sent: Tuesday, March 26, 2019 11:19 AM
To: Quast, Sylvia <Quast.Sylvia@epa.gov>
Subject: Request for Amicus Brief in Arconic, Inc., et al. v. APC Investment Co., et al.

Sylvia,

The District Court for the Central District of California (Judge George Wu) issued a decision on January 15, 2019 regarding PRP contribution rights under CERCLA at the Omega Superfund Site, one of our large Superfund Sites in Southern California. The

Deliberative Process / Ex. 5

AMERICAN OVERSIGHT

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Lewis

AMERICAN OVERSIGHT

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Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 9/26/2018 10:11:22 PM
To: Brooks, Becky [Brooks.Becky@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: AROW briefing document

All

I will delete this note as the attachment contains matters that I am recused from.

Peter

From: Brooks, Becky
Sent: Wednesday, September 26, 2018 6:10 PM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Fwd: AROW briefing document

Making sure you have these, too.

Sent from my iPhone

Begin forwarded message:

> **From:** "Fonseca, Silvina" <Fonseca.Silvina@epa.gov>
> **Date:** September 26, 2018 at 5:11:10 PM EDT
> **To:** "Dickerson, Aaron" <dickerson.aaron@epa.gov>
> **Cc:** "Hilosky, Nick" <Hilosky.Nick@epa.gov>, "Brooks, Becky" <Brooks.Becky@epa.gov>, "Darwin, Veronica" <darwin.veronica@epa.gov>, "Molina, Michael" <molina.michael@epa.gov>
> **Subject: RE: AROW briefing document**
>
> Good evening Aaron, the meeting with AAW tomorrow is a high level discussion about approaches to the river sites and has no specific ask. They held a similar meeting last year with Administrator Pruitt. Attached is some information for the Acting Administrator to read through to provide some context on some of our river sites that will be helpful in the listening session tomorrow.
>
> *Silvina Fonseca*
> *Special Assistant*
> *Office of the Administrator*
> *U.S. Environmental Protection Agency*
> *Desk: 202.564.1955*
> *Cell* Personal Privacy / Ex. 6
>
> ---
>
> **From:** Dickerson, Aaron
> **Sent:** Wednesday, September 26, 2018 5:02 PM
> **To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>
> **Subject:** AROW briefing document
>
> Hi Silvina

AMERICAN OVERSIGHT

Do you have the briefing document for the meeting with AROW tomorrow?

Aaron Dickerson
Senior Advisor
Office of the Administrator
U.S. EPA

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

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

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ED_002965A_00000460-00001

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

AMERICAN OVERSIGHT

personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 11/16/2018 3:56:39 PM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Gervais, Gregory [Gervais.Gregory@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Patterson, Kenneth [Patterson.Kenneth@epa.gov]; Gardner, Monica [Gardner.Monica@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Leff, Karin [Leff.Karin@epa.gov]; Burchette, John [Burchette.John@epa.gov]
Subject: Re: SF DD's Call Recap Wks 11/5 - UNSCRUBBED

Thanks

I just received the [redacted] memo late yesterday. Will review and likely send to R 2 today.

Sent from my iPhone

On Nov 16, 2018, at 10:29 AM, Fonseca, Silvina <Fonseca.Silvina@epa.gov> wrote:

> Internal and Deliberative. Please contact author if subject to FOIA.
> Please do not forward to Peter Wright. Sites in red - Peter Wright recusal.
>
> Thank you!
>
> *Silvina Fonseca*
> *Special Assistant*
> *Office of the Administrator*
> *U.S. Environmental Protection Agency*
> *Desk: 202.564.1955*
> *Cell:* 202.306.6844
>
> <Week 11.5.2018 final unscrubbed.docx>

AMERICAN OVERSIGHT

Message

From: Johnson, Barnes [Johnson.Barnes@epa.gov]
Sent: 8/27/2018 2:05:02 PM
To: Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; ORCR IO [ORCR_IO@epa.gov]; Coleman, Cheryl [Coleman.Cheryl@epa.gov]; Bergman, Shawna [Bergman.Shawna@epa.gov]
Subject: RE: Request for meeting with ACC on Plastic Recovery
Attachments: FFRG_USEPA MOU Agreement.pdf

FYI – we have had a positive long term relationship with ACC on their WRAP program. We signed an MOU with them in Nov 2016 and it remains in effect through Dec 2019. I thought I would share this as an FYI. We are happy to further discuss what we have done under this MOU.

I purposively did not include Peter on this email given his recusal but if in your judgement find that it is OK to share this as background information please do forward it to him.

Barnes Johnson
USEPA | Resource Conservation and Recovery | Tel 703-308-8895 | johnson.barnes@epa.gov | @EPAland

From: Cook, Steven
Sent: Monday, August 27, 2018 9:00 AM
To: Russell, Steven K. <Steven_Russell@americanchemistry.com>; Wright, Peter <wright.peter@epa.gov>
Cc: Johnson, Barnes <Johnson.Barnes@epa.gov>; Cookson, Craig <Craig_Cookson@americanchemistry.com>; Joseph, Aiysha D. <Aiysha_Joseph@americanchemistry.com>; Breen, Barry <Breen.Barry@epa.gov>
Subject: RE: Request for meeting with ACC on Plastic Recovery

Steve –

Look forward to the discussion on this important topic.

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
202.566.0609

From: Russell, Steven K. [mailto:Steven_Russell@americanchemistry.com]
Sent: Monday, August 27, 2018 8:51 AM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Johnson, Barnes <Johnson.Barnes@epa.gov>; Cookson, Craig <Craig_Cookson@americanchemistry.com>; Joseph, Aiysha D. <Aiysha_Joseph@americanchemistry.com>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Subject: RE: Request for meeting with ACC on Plastic Recovery

AMERICAN OVERSIGHT

Thank you for the prompt reply, and the explanation, which we were not aware of. We will reach out to the Acting and Deputy AA in the coming days.

Regards,
Steve

From: Wright, Peter [mailto:wright.peter@epa.gov]
Sent: Monday, August 27, 2018 8:44 AM
To: Russell, Steven K. <Steven_Russell@americanchemistry.com>
Cc: Johnson, Barnes <Johnson.Barnes@epa.gov>; Cookson, Craig <Craig_Cookson@americanchemistry.com>; Joseph, Aiysha D. <Aiysha_Joseph@americanchemistry.com>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Subject: RE: Request for meeting with ACC on Plastic Recovery

Steve

At this time I am not in a position to accept this meeting **Ex. 6 Personal Privacy (PP)** You might check back in a few weeks.

If you would like to schedule a meeting sooner, I have copied Barry Breen, who is the Acting Assistant Administrator and Steven Cook, the Deputy Assistant Administrator, and you might reach out to them.

Peter

From: Russell, Steven K. [mailto:Steven_Russell@americanchemistry.com]
Sent: Saturday, August 25, 2018 5:17 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Johnson, Barnes <Johnson.Barnes@epa.gov>; Cookson, Craig <Craig_Cookson@americanchemistry.com>; Joseph, Aiysha D. <Aiysha_Joseph@americanchemistry.com>
Subject: Request for meeting with ACC on Plastic Recovery

Special Counsel Wright,

Attached is a meeting request from the American Chemistry Council to discuss **Deliberative Process / Ex. 5** **Deliberative Process / Ex. 5**

Regards,
Steve Russell

Steve Russell | American Chemistry Council
Vice President, Plastics Division
steven_russell@americanchemistry.com
700 2nd Street, NE | Washington, DC | 20002
O: 202.249.6600 C: 703.395.4525
www.americanchemistry.com/plastics
www.plasticsmakeitpossible.com

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AMERICAN OVERSIGHT

Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 3/18/2019 6:38:41 PM
To: Wilbur, Jennifer [Wilbur.Jennifer@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Keller, Melanie [Keller.Melanie@epa.gov]
Subject: RE: 5 more budget factsheets - last for tonight
Attachments: OSRTI-12 AML 3 14.ARMS (edits).docx; OSRTI-15 Silver Bow 3 14.ARMS (edits).docx; OSRTI-14 Anaconda NV 3 14.ARMS (edits).docx; OSRTI-13 USS Lead 3 13.ARMS (edits).docx

Redlines attached. I will send Passaic separately since Peter is recused.
Peter & Barry – I added some condensed language from the Bonita Peak one pager to the attached AML document on Ex. 5 Deliberative Process (DP).

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Wilbur, Jennifer
Sent: Thursday, March 14, 2019 7:02 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>
Subject: 5 more budget factsheets - last for tonight

Attached are:

Abandoned Mines (AML)
Anaconda Copper Mine, NV
U.S.S. Lead
Butte/Silver Bow Creek
Lower Passaic River

Jennifer M. Wilbur
Senior Budget Officer and Director, Acquisition and Resources Management Staff
Office of Program Management
Office of Land and Emergency Management
U.S. Environmental Protection Agency

Wilbur.jennifer@epa.gov
(202) 566-2756

AMERICAN OVERSIGHT

Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
on behalf of Cook, Steven [cook.steven@epa.gov]
Sent: 8/21/2019 8:04:47 PM
To: OLEM SF Reg DDs [OLEMSFRegDDs@epa.gov]; Regional RCRA Directors & Deputies [Regional_RCRA_Directors__Deputies@epa.gov]
CC: OLEM SF Reg Branch Chiefs [OLEMSFRegBranchChiefs@epa.gov]; Regional RCRA Program Branch Chiefs [Regional_RCRA_Program_Branch_Chiefs@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Johnson, Barnes [Johnson.Barnes@epa.gov]; Salyer, Kathleen [Salyer.Kathleen@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: REMINDER: Peter Wright's Recusals
Attachments: Wright_Dow_DuPont_6-22_Revised.xlsx

Dear Colleagues,

In an effort to meet our ethics obligations, please ensure that when sending site-specific information to the OLEM AA and/or OLEM Immediate Office, you check Peter Wright's recusal list before sending.

For Superfund sites: If there is specific information for a site on the recusal list, please do not include Peter Wright on the email. Please do include in the email a note that you are leaving him off because he is recused. We've attached Peter's most recent recusal list for your information. This recusal list will be in place until July 8, 2020. After that, a more limited list of sites will still be subject to recusal. We will circulate an updated list at that time.

For RCRA and current operating sites: Peter is recused from specific matters involving DowDuPont sites, including subsidiaries and recent spin-offs, for two years (until July 8, 2020). However, please note that Chemours facilities are not subject to the recusal. If you need to send site specific information to the OLEM AA or OLEM IO please follow the same protocol as above.

Thank you in advance for your help,

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
+1 202.566.0609
cook.steven@epa.gov

AMERICAN OVERSIGHT

Message

From: Keller, Melanie [Keller.Melanie@epa.gov]
Sent: 8/17/2019 1:46:46 AM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: USE THIS VERSION, please: Portland Harbor factsheet for OLEM IO review
Attachments: Portland Harbor R10 Issue Paper - OLEM edits.docx

My apologies to all.

Please use this version for PH. It now includes OECA's edits that I received tonight as well.

Thank you for your time and consideration,
Melanie

Melanie C. Keller

US Environmental Protection Agency
Congressional Liaison – OLEM/OCPA
(202) 566-2772 – office
(202) 897-9357 – mobile
keller.melanie@epa.gov

From: Keller, Melanie
Sent: Friday, August 16, 2019 9:36 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: Portland Harbor factsheet for OLEM IO review

Good evening,

(Sending this one separately because of Peter's recusal.)

Please see the attached Portland Harbor factsheet for your review by Tuesday's deadline.

Please let me know if you have any questions.

Thank you,
Melanie

Melanie C. Keller

Congressional Liaison
United States Environmental Protection Agency
Office of Land and Emergency Management (OLEM)

(202) 566-2772 – office
(202) 897-9357 – mobile

AMERICAN OVERSIGHT

keller.melanie@epa.gov



AMERICAN OVERSIGHT

Message

From: Cook, Steven [cook.steven@epa.gov]
Sent: 10/16/2018 9:59:15 PM
To: Colip, Matthew [colip.matthew@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Harwood, Jackie [Harwood.Jackie@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: RE: For Barry/Peter/Steven Review by COB Wednesday: press release for Portland Harbor Superfund Site

Taking Peter off list as he is recused.

My only comment is Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Colip, Matthew
Sent: Tuesday, October 16, 2018 3:43 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: For Barry/Peter/Steven Review by COB Wednesday: press release for Portland Harbor Superfund Site
Importance: High

Barry, Peter, and Steven,

Attached for your review is a draft press release from Region 10 on the Portland Harbor site incorporating OSRTI's input, which included input from Jim. Region 10 is planning to issue this press release next week.

If possible, please let me know if you have any input by COB tomorrow, Wednesday.

Thanks,
Matt

Matthew Colip
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
Office: 202-566-2641
Mobile: 202-597-1887
Follow us on Twitter @EPALand

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Message

From: Keller, Melanie [Keller.Melanie@epa.gov]
Sent: 8/17/2019 1:35:37 AM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: Portland Harbor factsheet for OLEM IO review
Attachments: Portland Harbor R10 Issue Paper - OLEM edits.docx

Good evening,

(Sending this one separately because of Peter's recusal.)

Please see the attached Portland Harbor factsheet for your review by Tuesday's deadline.

Please let me know if you have any questions.

Thank you,
Melanie

Melanie C. Keller

Congressional Liaison
United States Environmental Protection Agency
Office of Land and Emergency Management (OLEM)

(202) 566-2772 – office
(202) 897-9357 – mobile

keller.melanie@epa.gov



AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 6/13/2019 4:04:38 PM
To: Doyle, Brett [doyle.brett@epa.gov]
CC: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Re: Suggested Agenda for 061319 AEL Meeting

Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Jun 13, 2019, at 11:40 AM, Doyle, Brett ok <doyle.brett@epa.gov> wrote:

> Hi Jim,
>
> We will not be providing a call in for the meeting. If you can not make the meeting in person, I strongly advise you send Dana in your place.
>
> Thanks and see you soon,
>
> Brett
>
> Sent from my iPhone
>
> On Jun 13, 2019, at 8:46 AM, Woolford, James <Woolford.James@epa.gov> wrote:
>
> > Can I get a call in number for today's meeting?
> >
> > Jim Woolford, Director
> > Office of Superfund Remediation and Technology Innovation
> > Office of Land and Emergency Management
> > US Environmental Protection Agency
> > 1200 Penn. Ave., NW
> > Washington, DC 20460
> > (Mail Code 5201-P)
> >
> > Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.
> >
> > Phone: (703) 603 8960– Main Office Line
> >
> > Physically located at:
> >
> > Room 5622
> > One Potomac Yard (South)
> > 2777 S. Crystal Dr.
> > Arlington, VA 22202

AMERICAN OVERSIGHT

From: Fonseca, Silvina
Sent: Wednesday, June 12, 2019 2:14 PM
To: Doyle, Brett <doyle.brett@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

Great thank you!

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Doyle, Brett
Sent: Wednesday, June 12, 2019 2:13 PM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

We will definitely inform them of what decisions are made tomorrow.

From: Fonseca, Silvina
Sent: Wednesday, June 12, 2019 2:07 PM
To: Doyle, Brett <doyle.brett@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

Thank you Brett, this is very helpful. For clarification purposes, will we confirm with the respective Regions prior to finalizing the sites to present to the Administrator for his consideration to include/remove from the AEL?

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Doyle, Brett
Sent: Wednesday, June 12, 2019 2:00 PM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: Suggested Agenda for 061319 AEL Meeting

AMERICAN OVERSIGHT

Hi All,

I am passing this along so everyone is on the same page RE discussion topics for tomorrow. N.B. that I will send an edited version of this list ot Peter, as he is recused from one of the agenda items.

Ex. 5 Deliberative Process (DP)

Brett Doyle
Senior Advisor to the Administrator
U.S. Environmental Protection Agency
(202) 564-6277

AMERICAN OVERSIGHT

Message

From: Doyle, Brett [doyle.brett@epa.gov]
Sent: 6/13/2019 3:40:20 PM
To: Woolford, James [Woolford.James@epa.gov]
CC: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Re: Suggested Agenda for 061319 AEL Meeting

Hi Jim,

We will not be providing a call in for the meeting. If you can not make the meeting in person, I strongly advise you send Dana in your place.

Thanks and see you soon,

Brett

Sent from my iPhone

On Jun 13, 2019, at 8:46 AM, Woolford, James <Woolford.James@epa.gov> wrote:

> Can I get a call in number for today's meeting?
>
> Jim Woolford, Director
> Office of Superfund Remediation and Technology Innovation
> Office of Land and Emergency Management
> US Environmental Protection Agency
> 1200 Penn. Ave., NW
> Washington, DC 20460
> (Mail Code 5201-P)
>
> Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.
>
> Phone: (703) 603 8960– Main Office Line
>
> Physically located at:
>
> Room 5622
> One Potomac Yard (South)
> 2777 S. Crystal Dr.
> Arlington, VA 22202
>
> <image001.gif>
>
> **From:** Fonseca, Silvina
> **Sent:** Wednesday, June 12, 2019 2:14 PM
> **To:** Doyle, Brett <doyle.brett@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James

AMERICAN OVERSIGHT

<Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

Great thank you!

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Doyle, Brett
Sent: Wednesday, June 12, 2019 2:13 PM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

We will definitely inform them of what decisions are made tomorrow.

From: Fonseca, Silvina
Sent: Wednesday, June 12, 2019 2:07 PM
To: Doyle, Brett <doyle.brett@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

Thank you Brett, this is very helpful. For clarification purposes, will we confirm with the respective Regions prior to finalizing the sites to present to the Administrator for his consideration to include/remove from the AEL?

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Doyle, Brett
Sent: Wednesday, June 12, 2019 2:00 PM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: Suggested Agenda for 061319 AEL Meeting

Hi All,

I am passing this along so everyone is on the same page RE discussion topics for tomorrow. N.B. that I will send an edited version of this list ot Peter, as he is recused from one of the agenda items.

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Ex. 5 Deliberative Process (DP)

Brett Doyle
Senior Advisor to the Administrator
U.S. Environmental Protection Agency
(202) 564-6277

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 3/14/2019 9:49:14 PM
To: Darwin, Veronica [darwin.veronica@epa.gov]; DeLeon, Rafael [Deleon.Rafael@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]
CC: Hoverman, Taylor [hoverman.taylor@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Doyle, Brett [doyle.brett@epa.gov]
Subject: RE: For AEL brief

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) I've shared those with Veronica, since Peter is recused from 1 of them.

Ex. 5 Deliberative Process (DP)

Thanks

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)
Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.
Phone: (703) 603 8960- Main Office Line

Physically located at:

Room 5622
One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

-----Original Message-----
From: Darwin, Veronica
Sent: Thursday, March 14, 2019 4:51 PM
To: DeLeon, Rafael <Deleon.Rafael@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>
Cc: Woolford, James <Woolford.James@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Doyle, Brett <doyle.brett@epa.gov>
Subject: RE: For AEL brief

Thank you! I made your edits Ex. 5 Deliberative Process (DP)

Nick will send out the final docs. Thank you, Nick!

Veronica

-----Original Message-----
From: DeLeon, Rafael
Sent: Thursday, March 14, 2019 4:12 PM
To: Darwin, Veronica <darwin.veronica@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>
Cc: Woolford, James <Woolford.James@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Doyle, Brett <doyle.brett@epa.gov>
Subject: RE: For AEL brief

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

-----Original Message-----
From: Darwin, Veronica
Sent: Thursday, March 14, 2019 2:51 PM
To: DeLeon, Rafael <Deleon.Rafael@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>
Cc: Woolford, James <Woolford.James@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Doyle, Brett <doyle.brett@epa.gov>
Subject: RE: For AEL brief

Ex. 5 Deliberative Process (DP)

-----Original Message-----
From: Darwin, Veronica
Sent: Thursday, March 14, 2019 2:43 PM
To: Woolford, James <Woolford.James@epa.gov>
Cc: DeLeon, Rafael <Deleon.Rafael@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Doyle, Brett <doyle.brett@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>
Subject: RE: For AEL brief

Yes. Questions are for Rafael and Cindy. Sorry that wasn't clear. Thank you!
V.

-----Original Message-----
From: Woolford, James
Sent: Thursday, March 14, 2019 2:41 PM
To: Darwin, Veronica <darwin.veronica@epa.gov>
Cc: DeLeon, Rafael <Deleon.Rafael@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Doyle, Brett <doyle.brett@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>
Subject: Re: For AEL brief

These are OSRE's.

Sent from my iPhone

> On Mar 14, 2019, at 2:39 PM, Darwin, Veronica <darwin.veronica@epa.gov> wrote:
>
> Thanks for the input.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

>
> Thank you!
> Veronica
>
> -----Original Message-----
> From: DeLeon, Rafael
> Sent: Thursday, March 14, 2019 1:48 PM
> To: Woolford, James <Woolford.James@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
> Cc: Mackey, Cyndy <Mackey.Cyndy@epa.gov>
> Subject: RE: For AEL brief
>
> Sorry...one other thing.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

>
> -----Original Message-----
> From: DeLeon, Rafael
> Sent: Thursday, March 14, 2019 1:44 PM
> To: Woolford, James <Woolford.James@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
> Cc: Mackey, Cyndy <Mackey.Cyndy@epa.gov>
> Subject: RE: For AEL brief
>
> Veronica
>
>

AMERICAN OVERSIGHT

> I discussed with staff and Cyndy. Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) Thx.
>
>

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 5/30/2019 2:40:57 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: RE: Arconic Inc. v. APC Investment Co., No. 19-55181 (9th Cir.)

It is on your recusal list.

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)

Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.

Phone: (703) 603 8960– Main Office Line

Physically located at:

Room 5622
One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

From: Wright, Peter
Sent: Thursday, May 30, 2019 10:39 AM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: RE: Arconic Inc. v. APC Investment Co., No. 19-55181 (9th Cir.)

All:

I am fairly certain (I have not double checked) that I am recused from this site.

Peter

AMERICAN OVERSIGHT

From: Cook, Steven
Sent: Thursday, May 30, 2019 9:10 AM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: FW: Arconic Inc. v. APC Investment Co., No. 19-55181 (9th Cir.)

FYI

From: Fotouhi, David
Sent: Thursday, May 30, 2019 7:38 AM
To: Cook, Steven <cook.steven@epa.gov>
Subject: FW: Arconic Inc. v. APC Investment Co., No. 19-55181 (9th Cir.)

FYI, **Ex. 5 Deliberative Process (DP)**

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Fotouhi, David
Sent: Wednesday, May 29, 2019 5:33 PM
To: Grant, Eric (ENRD) <Eric.Grant@usdoj.gov>
Cc: Snow, Corinne (ENRD) <Corinne.Snow@usdoj.gov>; Bodine, Susan <bodine.susan@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Stoker, Michael B. <stoker.michael@epa.gov>
Subject: Arconic Inc. v. APC Investment Co., No. 19-55181 (9th Cir.)

Eric:

Please see the attached correspondence regarding the above-referenced matter.

Best,

David

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

AMERICAN OVERSIGHT

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 8/8/2018 8:28:21 PM
To: Lopez, Peter [lopez.peter@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Ammon, Doug [Ammon.Doug@epa.gov]; Poore, Christine [Poore.Christine@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Mugdan, Walter [Mugdan.Walter@epa.gov]; Prince, John [Prince.John@epa.gov]; Carpenter, Angela [Carpenter.Angela@epa.gov]; Sivak, Michael [Sivak.Michael@epa.gov]; Wilson, Eric [Wilson.EricJ@epa.gov]; Lyon, Christopher [lyon.christopher@epa.gov]; Kopec, Slawomir [kopec.slawomir@epa.gov]; Metz, Chloe [Metz.Chloe@epa.gov]
Subject: Re: Conference call on American Cyanamid and Berry's Creek/Decision Documents >$50 Million

All

I will drop off of the call during the Berry's Creek discussion as I am recused from working on that matter.

Peter

Sent from my iPad

On Aug 8, 2018, at 4:11 PM, Lopez, Peter <lopez.peter@epa.gov> wrote:

<mime-attachment.ics>

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 10/29/2018 6:31:31 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]
CC: Gartner, Lois [Gartner.Lois@epa.gov]; Schutz, Michelle [Schutz.Michelle@epa.gov]; Jeng, Richard [Jeng.Richard@epa.gov]; Hovis, Jennifer [Hovis.Jennifer@epa.gov]; Edwards, Jennifer [Edwards.Jennifer@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]
Subject: Fwd: Example of OSRTI Ongoing RA Funding Plan -
Attachments: Example Ongoing RA Funding Plan from 2018-09-05_Redacted.pdf; ATT00001.htm

Per our RA funding meeting attached is an example of our RA ongoing funding plan.

Sent from my iPhone

Begin forwarded message:

> **From:** "Hovis, Jennifer" <Hovis.Jennifer@epa.gov>
> **Date:** October 25, 2018 at 3:20:37 PM EDT
> **To:** OLEM OSRTI OD Materials <OLEM_OSRTI_OD_Materials@epa.gov>
> **Cc:** "Lowery, Brigid" <Lowery.Brigid@epa.gov>, "Fitz-James, Schatzi" <Fitz-James.Schatzi@epa.gov>, "Jeng, Richard" <Jeng.Richard@epa.gov>, "Edwards, Jennifer" <Edwards.Jennifer@epa.gov>, "Jennings, Robert" <Jennings.Robert@epa.gov>, "Flaks, Art" <Flaks.Art@epa.gov>, "Hollingsworth, Kevin" <Hollingsworth.Kevin@epa.gov>
> **Subject: Example of OSRTI Ongoing RA Funding Plan**
>
> OSRTI IO,
>
> **Ex. 5 Deliberative Process (DP)**
>
> Finally, site information has been redacted based on both the Wright and Wheeler recusal site lists previously provided.
>
> Please let me or Richard know if you have any questions.
>
> <><><><><><><><><><><><><><><>
> **JEN HOVIS**
> Chief, Construction & Post Construction Management Branch (CPCMB)
> Office of Superfund Remediation & Technology Innovation (OSRTI)
> desk: 703.603.8888 | cell: 571.814.0303 | hovis.jennifer@epa.gov

AMERICAN OVERSIGHT

Message

From: Cook, Steven [cook.steven@epa.gov]
Sent: 8/8/2018 4:32:12 AM
To: Woolford, James [Woolford.James@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Ammon, Doug [Ammon.Doug@epa.gov]; Gartner, Lois [Gartner.Lois@epa.gov]; Schutz, Michelle [Schutz.Michelle@epa.gov]
Subject: Re: Check in Brief on sites GT $50M?

I am current with BF Goodrich but need briefing on other two.

Sent from my iPhone

On Aug 7, 2018, at 2:39 PM, Woolford, James <Woolford.James@epa.gov> wrote:

> BTW – Ventron-Velsicol / Berry's Creek in on Peter's recusal list.
>
> Jim Woolford, Director
> Office of Superfund Remediation and Technology Innovation
> Office of Land and Emergency Management
> US Environmental Protection Agency
> 1200 Penn. Ave., NW
> Washington, DC 20460
> (Mail Code 5201-P)
>
> Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.
>
> Phone: (703) 603 8960– Main Office Line
>
> Physically located at:
>
> Room 5622
> One Potomac Yard (South)
> 2777 S. Crystal Dr.
> Arlington, VA 22202
>
> <image001.gif>
>
> **From:** Woolford, James
> **Sent:** Tuesday, August 07, 2018 5:25 PM
> **To:** Hilosky, Nick <Hilosky.Nick@epa.gov>; Becky Brooks <Brooks.Becky@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Barry Breen <Breen.Barry@epa.gov>
> **Cc:** Dana Stalcup <Stalcup.Dana@epa.gov>; Brigid Lowery <Lowery.Brigid@epa.gov>; 'Doug Ammon' <Ammon.Doug@epa.gov>; 'Lois Gartner' <Gartner.Lois@epa.gov>; Schutz, Michelle <Schutz.Michelle@epa.gov>
> **Subject:** Check in Brief on sites GT $50M?
>
> Good afternoon:

AMERICAN OVERSIGHT

The AO is working to schedule a brief with acting administrator Wheeler on 3 RODs GT $50 M. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Silvina is working with Regions on those summaries.

The question for the OLEM IO is whether, before the briefing with the acting administrator, you like a briefing? At this point, OSRTI does not need one, but as Peter has joined EPA since the briefings on the proposed plans in the spring, I can see some utility in briefing him and bringing him up to speed.

Please let us know your preference and OSRTI will work the Regions to schedule as appropriate.

Thanks.

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)

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One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

<image001.gif>

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 6/13/2019 12:46:19 PM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Doyle, Brett [doyle.brett@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: Suggested Agenda for 061319 AEL Meeting

Can I get a call in number for today's meeting?

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)

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Phone: (703) 603 8960– Main Office Line

Physically located at:

Room 5622
One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

From: Fonseca, Silvina
Sent: Wednesday, June 12, 2019 2:14 PM
To: Doyle, Brett <doyle.brett@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

Great thank you!

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955

AMERICAN OVERSIGHT

Cell: 202.306.6844

From: Doyle, Brett
Sent: Wednesday, June 12, 2019 2:13 PM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

We will definitely inform them of what decisions are made tomorrow.

From: Fonseca, Silvina
Sent: Wednesday, June 12, 2019 2:07 PM
To: Doyle, Brett <doyle.brett@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: RE: Suggested Agenda for 061319 AEL Meeting

Thank you Brett, this is very helpful. For clarification purposes, will we confirm with the respective Regions prior to finalizing the sites to present to the Administrator for his consideration to include/remove from the AEL?

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Doyle, Brett
Sent: Wednesday, June 12, 2019 2:00 PM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: Suggested Agenda for 061319 AEL Meeting

Hi All,

I am passing this along so everyone is on the same page RE discussion topics for tomorrow. N.B. that I will send an edited version of this list ot Peter, as he is recused from one of the agenda items.

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Ex. 5 Deliberative Process (DP)

Brett Doyle
Senior Advisor to the Administrator
U.S. Environmental Protection Agency
(202) 564-6277

AMERICAN OVERSIGHT

Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 8/6/2019 3:42:29 PM
To: Keller, Melanie [Keller.Melanie@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Harwood, Jackie [Harwood.Jackie@epa.gov]; Manges, Ellen [Manges.Ellen@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: URGENT -- FOR QUICK REVIEW by 4pm: OLEM response to HEC TA Request re: OUs at Portland Harbor

Melanie,

Please note that Peter is recused from this site. The response looks good to me.

Steven – if you don't get to review this before your hill meeting, this will be the most time sensitive review item once you're back (that I'm aware of).

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Keller, Melanie <Keller.Melanie@epa.gov>
Sent: Tuesday, August 6, 2019 11:35 AM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: URGENT -- FOR QUICK REVIEW by 4pm: OLEM response to HEC TA Request re: OUs at Portland Harbor
Importance: High

Good morning,

OLEM/R10 received the following TA request from HEC majority staff re: how operable units are identified at the Portland Harbor site.

Ex. 5 Deliberative Process (DP)

Thank you,
Melanie

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Ex. 5 Deliberative Process (DP)

Melanie C. Keller

US Environmental Protection Agency
Congressional Liaison – OLEM/OCPA
(202) 566-2772 – office
(202) 897-9357 – mobile
keller.melanie@epa.gov

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 3/14/2019 6:01:22 PM
To: Darwin, Veronica [darwin.veronica@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
CC: DeLeon, Rafael [Deleon.Rafael@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]
Subject: Re: For AEL brief

A second example.

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

> On Mar 14, 2019, at 1:36 PM, Woolford, James <Woolford.James@epa.gov> wrote:
>
> From region 2 - from my ask to the regions following this AMs pre-brief.
>
> Leaving peter out due to recusal.
>

Ex. 5 Deliberative Process (DP)

>
> Sent from my iPhone

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 9/4/2018 8:17:57 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Gartner, Lois [Gartner.Lois@epa.gov]; Worthman, Gary [Worthman.Gary@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]
Subject: RE: Briefing materials for tomorrow's meeting with Acting Administrator Wheeler
Attachments: Acting Administrator ROD Briefings 9.5.2018 Agenda.docx

Revised Agenda!

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Fonseca, Silvina
Sent: Tuesday, September 04, 2018 1:15 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Michaud, John <Michaud.John@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Gartner, Lois <Gartner.Lois@epa.gov>; Worthman, Gary <Worthman.Gary@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Briefing materials for tomorrow's meeting with Acting Administrator Wheeler

Good afternoon,

Attached are the briefing materials for tomorrow's meeting with Acting Administrator Wheeler regarding the following sites:
Shaffer/Arbuckle (Minden) - Region 3; Ex. 5 Deliberative Process (DP)
BF Goodrich - Region 4; Ex. 5 Deliberative Process (DP)
American Cyanamid – Region 2; Ex. 5 Deliberative Process (DP)
Berry's Creek – Region 2; Ex. 5 Deliberative Process (DP)

Agenda for the meeting is also attached.

Please note that Peter Wright is recused from Berry's Creek.

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

Acting Administrator Briefing

Superfund Sites/ Ex. 5 Deliberative Process (DP)

September 5, 2018

Agenda

9:45 – 9:50 am	Introduction/Logistics for meeting
9:50 – 10:10 am	Shaffer/Arbuckle Site (Minden, West Virginia) Region 3; Ex. 5 Deliberative Process (DP)
10:10 – 10:30 am	B.F. Goodrich (Kentucky) Region 4; Ex. 5 Deliberative Process (DP)
10:30 – 10:50 am	American Cyanamid (New Jersey) Region 2; Ex. 5 Deliberative Process (DP)
10:50 – 11:10 am	Berry's Creek* (New Jersey) Region 2; Ex. 5 Deliberative Process (DP)

*Peter Wright is recused from this site.

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 9/4/2018 5:17:45 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Gartner, Lois [Gartner.Lois@epa.gov]; Worthman, Gary [Worthman.Gary@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]
Subject: RE: Briefing materials for tomorrow's meeting with Acting Administrator Wheeler
Attachments: SHAFFER_ARBUCKLE CREEK ADMINISTRATOR BRIEFING_9.5.2018 final.docx

One more!

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Fonseca, Silvina
Sent: Tuesday, September 04, 2018 1:15 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Michaud, John <Michaud.John@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Gartner, Lois <Gartner.Lois@epa.gov>; Worthman, Gary <Worthman.Gary@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Briefing materials for tomorrow's meeting with Acting Administrator Wheeler

Good afternoon,

Attached are the briefing materials for tomorrow's meeting with Acting Administrator Wheeler regarding the following sites:
Shaffer/Arbuckle (Minden) - Region 3; [redacted]
BF Goodrich - Region 4; Ex. 5 Deliberative Process (DP)
American Cyanamid – Region 2; Ex. 5 Deliberative Process (DP)
Berry's Creek – Region 2; Ex. 5 Deliberative Process (DP)

Agenda for the meeting is also attached.

Please note that Peter Wright is recused from Berry's Creek.

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 5/13/2019 9:56:18 PM
To: Woolford, James [Woolford.James@epa.gov]; Edlund, Carl [Edlund.Carl@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Meyer, John [Meyer.John@epa.gov]; Peycke, Mark [Peycke.Mark@epa.gov]; Adams, Adam [Adams.Adam@epa.gov]; Josiam, Raji [josiam.raji@epa.gov]; Villarreal, Chris [villarreal.chris@epa.gov]; Payne, James [payne.james@epa.gov]
Subject: RE: USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16

All:

Please remove me from this communication chain as I am recused from working on this matter.

Thank you.

Peter

Peter C Wright
Special Counsel, Office of the Administrator
United States Environmental Protection Agency
1301 Constitutional Ave NW
Washington, DC
202-566-9988

From: Woolford, James
Sent: Monday, May 13, 2019 4:55 PM
To: Edlund, Carl <Edlund.Carl@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Meyer, John <Meyer.John@epa.gov>; Peycke, Mark <Peycke.Mark@epa.gov>; Adams, Adam <Adams.Adam@epa.gov>; Josiam, Raji <josiam.raji@epa.gov>; Villarreal, Chris <villarreal.chris@epa.gov>; Payne, James <payne.james@epa.gov>
Subject: RE: USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16

Thanks

From: Edlund, Carl
Sent: Monday, May 13, 2019 4:05 PM
To: Cook, Steven <cook.steven@epa.gov>
Cc: Woolford, James <Woolford.James@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Meyer, John <Meyer.John@epa.gov>; Peycke, Mark <Peycke.Mark@epa.gov>; Adams, Adam <Adams.Adam@epa.gov>; Josiam, Raji <josiam.raji@epa.gov>; Villarreal, Chris <villarreal.chris@epa.gov>; Payne, James <payne.james@epa.gov>
Subject: Re: USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16

AMERICAN OVERSIGHT

Sorry for the delay in responding, Raji Josiam, the RPM for this site was out of the country last week and I wanted to consult with her before responding.

Ex. 5 Deliberative Process (DP)

Sent from my iPad

On May 7, 2019, at 10:54 AM, Cook, Steven <cook.steven@epa.gov> wrote:

> That will work.
>
> ---
>
> **From:** Edlund, Carl
> **Sent:** Tuesday, May 7, 2019 11:16 AM
> **To:** Woolford, James <Woolford.James@epa.gov>
> **Cc:** Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Meyer, John <Meyer.John@epa.gov>; Peycke, Mark <Peycke.Mark@epa.gov>; Adams, Adam <Adams.Adam@epa.gov>; Josiam, Raji <josiam.raji@epa.gov>
> **Subject:** Re: USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16
>
> Thanks...we'll need a few days (Friday OK?) to respond to these positions
>
> Sent from my iPad
>
> On May 7, 2019, at 9:11 AM, Woolford, James <Woolford.James@epa.gov> wrote:
>
> **Ex. 5 Deliberative Process (DP)**
>
> Thanks
>
> Sent from my iPhone
>
> On May 7, 2019, at 10:02 AM, Cook, Steven <cook.steven@epa.gov> wrote:
>
> > All – thoughts on taking this meeting?
> >
> > Steven
> >
> > ---
> >
> > **From:** Craft, Zachary <zlcraft@eprod.com>
> > **Sent:** Friday, April 26, 2019 11:01 AM
> > **To:** Cook, Steven <cook.steven@epa.gov>
> > **Cc:** 'Pastor, Eric' <Eric_Pastor@golder.com>
> > **Subject:** USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16
> >
> > Steven,

AMERICAN OVERSIGHT

On behalf of the U.S. Oil Recovery Superfund Site PRP Group (Enterprise is a member), I want to see how we can implement the recommendations from the Superfund Task Force for high-performing PRPs. We have discussed this with Region 6 staff and they are supportive of our reaching out to others within EPA to determine the specifics of obtaining this designation as they are also making inquiries internally. Our site consultant Eric Pastor (cc) will make sure the Region 6 staff know that we have reached out to you.

Our objectives are:

1. To qualify for reduced oversight incentives pursuant to Superfund Task Force Recommendation 16.

2. Share with you specific datapoints as to our group's performance and concerns about exorbitant oversight costs, which position the USOR Site to be a case for successful implementation of Superfund Task Force Recommendation 16.

Our group representatives are generally available May 20 in the afternoon or anytime May 21-24, or June 4-8. Or, we are receptive to date/time suggestions that are good for your team. A teleconference may be easiest, unless there is a convenient time for you while you are in downtown Houston, in which case we could meet in person.

Thanks,
--Zach

Zachary L. Craft
Counsel



1100 Louisiana Street, 24th Floor
Houston, Texas 77002
713.381.3749 (office)
281.887.7840 (fax)
713.449.9245 (mobile)
zlcraft@eprod.com

This email (including any attachments) may be privileged and confidential. If you are not the intended recipient, please delete it and notify the sender.

This message (including any attachments) is confidential and intended for a specific individual and purpose. If you are not the intended recipient, please notify the sender immediately and delete this message.

The content image001.jpg of type has been blocked.

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 8/22/2018 9:41:40 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Lopez, Peter [lopez.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Ammon, Doug [Ammon.Doug@epa.gov]; Poore, Christine [Poore.Christine@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Mugdan, Walter [Mugdan.Walter@epa.gov]; Prince, John [Prince.John@epa.gov]; Carpenter, Angela [Carpenter.Angela@epa.gov]; Sivak, Michael [Sivak.Michael@epa.gov]; Wilson, Eric [Wilson.EricJ@epa.gov]; Lyon, Christopher [lyon.christopher@epa.gov]; Kopec, Slawomir [kopec.slawomir@epa.gov]; Metz, Chloe [Metz.Chloe@epa.gov]; Schaaf, Eric [Schaaf.Eric@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Cromwell, Travis [Cromwell.Travis@epa.gov]; Wilkerson, Ronald [Wilkerson.Ronald@epa.gov]; Flanagan, Sarah [Flanagan.Sarah@epa.gov]; Fischer, Douglas [Fischer.Douglas@epa.gov]; Burgess, Michele [Burgess.Michele@epa.gov]
Subject: Re: Conference call with EPA HQ's and Region 2 on American Cyanamid and Berry's Creek/ Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)

Thanks Peter. We can do it last.

Sent from my iPhone

On Aug 22, 2018, at 5:30 PM, Wright, Peter <wright.peter@epa.gov> wrote:

> All:
>
> I am recused from the Berry's Creek matter and so I will delete the materials and not participate in the discussion. Maybe this discussion could come last during the call and I can leave the call.
>
> Peter
>
> -----Original Appointment-----
> **From:** Soltani, Beth **On Behalf Of** Lopez, Peter
> **Sent:** Wednesday, August 22, 2018 3:41 PM
> **To:** Breen, Barry; Cook, Steven; Wright, Peter; Woolford, James; Stalcup, Dana; Lowery, Brigid; Fitz-James, Schatzi; Ammon, Doug; Poore, Christine; Mackey, Cyndy; Mugdan, Walter; Prince, John; Carpenter, Angela; Sivak, Michael; Wilson, Eric; Lyon, Christopher; Kopec, Slawomir; Metz, Chloe; Schaaf, Eric; Simon, Paul; Cromwell, Travis; Wilkerson, Ronald
> **Cc:** Fonseca, Silvina; Flanagan, Sarah; Fischer, Douglas; Burgess, Michele
> **Subject:** Conference call with EPA HQ's and Region 2 on American Cyanamid and Berry's Creek/ Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)
> **When:** Thursday, August 23, 2018 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).
> **Where:** Via VTC and Dial in: 1-202-991-0477; Conference ID: 5569798 /R2 RA conference room - 26th floor/DC Headquarters Room WJC West 4144
>
> Please see attached the materials for the meeting.

AMERICAN OVERSIGHT

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 9/24/2018 4:00:10 PM
To: regionalpress [regionalpress@epa.gov]; Molina, Michael [molina.michael@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]
CC: Mears, Mary [Mears.Mary@epa.gov]; Kluesner, Dave [kluesner.dave@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: RA / SENIOR OFFICIAL EVENT PROPOSAL: Berry's Creek Superfund Site, North Jersey, October 2

All

I am recused and so I will delete this message.

Peter

From: regionalpress
Sent: Monday, September 24, 2018 11:33 AM
To: Molina, Michael <molina.michael@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Mears, Mary <Mears.Mary@epa.gov>; Kluesner, Dave <kluesner.dave@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: RA / SENIOR OFFICIAL EVENT PROPOSAL: Berry's Creek Superfund Site, North Jersey, October 2

All – see below and attached from region 2 – RA Lopez will participate in this ROD event – they were wondering about anyone from HQ – so passing along thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

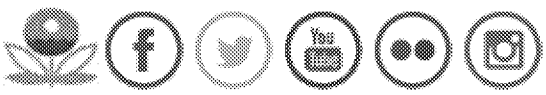
From: Kluesner, Dave
Sent: Tuesday, September 11, 2018 6:22 PM
To: regionalpress <regionalpress@epa.gov>
Cc: Mears, Mary <Mears.Mary@epa.gov>
Subject: RA / SENIOR OFFICIAL EVENT PROPOSAL: Berry's Creek Superfund Site, North Jersey, October 2

[PETE APPROVED]

FOR REVIEW AND CONSIDERATION AS A POSSIBLE ADMININSTRATOR EVENT

Please let us know if you have any questions.

David W. Kluesner



AMERICAN OVERSIGHT

U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26th Floor
New York, NY 10007
212.637.3653 (Office)
347.330.9439 (Cell)

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 9/4/2018 5:15:05 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Gartner, Lois [Gartner.Lois@epa.gov]; Worthman, Gary [Worthman.Gary@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]
Subject: Briefing materials for tomorrow's meeting with Acting Administrator Wheeler
Attachments: American Cyanamid OU8 OLEM Briefing_ROD_9.5.2018 final.PPTX; BCSA 2018-09-05 - Acting Administrator Briefing 9.5.2018 final.PPTX; Berry's Creek Study Area (Ventron-Velsicol OU2)Administrator Briefing 9.5.2018 final.docx; Adm Briefing Fact Sheet_New Format_American Cyanamid_OU 9.5.2018 final .docx; BF Goodrich_Administrator ROD Briefing_9-5-2018 final.docx; Acting Administrator ROD Briefings 9.5.2018 Agenda.docx

Good afternoon,

Attached are the briefing materials for tomorrow's meeting with Acting Administrator Wheeler regarding the following sites:
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American Cyanamid – Region 2; Ex. 5 Deliberative Process (DP)
Berry's Creek – Region 2; Ex. 5 Deliberative Process (DP)

Agenda for the meeting is also attached.

Please note that Peter Wright is recused from Berry's Creek.

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 10/12/2018 4:15:30 PM
To: Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]
CC: Cheatham, Reggie [cheatham.reggie@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]
Subject: Quick question on Peter's recusal list

This involves sites/releases where Dow/DuPont has not yet been identified as a PRP, but the PRP search is still ongoing, there is no definitive list, but there appears to be potential Dow/DuPont could be based on very preliminary look.

Ex. 5 Deliberative Process (DP)

This is most likely to come up for OSRTI in the NPL listing context where the PRP search info isn't fully developed. I can also see a possibility in the removal context too.

Sent from my iPhone

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 7/12/2019 3:54:16 PM
To: Cook, Steven [cook.steven@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Wilbur, Jennifer [Wilbur.Jennifer@epa.gov]
CC: Stalcup, Dana [Stalcup.Dana@epa.gov]; Stewart, Tracey [Stewart.Tracey@epa.gov]; Jennings, Robert [Jennings.Robert@epa.gov]; Gartner, Lois [Gartner.Lois@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Subject: FW: Special Accounts Quarterly Management Reports - 3rd Quarter FY 2019
Attachments: Qrtly Status of SAs_3rd Qtr FY19.pdf; Notification Memo Tracking Sheet_3rd Quarter FY 2019.pdf; ATT69506

FYI –

Given Peter's recusal list, we have to do a separate report for him/the OLEM IO, but wanted you all to have the full report we share with Regions, etc.

We will get the separate report up next week

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)

Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.

Phone: (703) 603 8960– Main Office Line

Physically located at:

Room 5622
One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

From: Woolford, James
Sent: Friday, July 12, 2019 11:50 AM
To: OLEM SF Reg DDs <OLEMSFRegDDs@epa.gov>; SASMC Members <SASMC_Members@epa.gov>

AMERICAN OVERSIGHT

Cc: OLEM SF Reg Branch Chiefs <OLEMSFRegBranchChiefs@epa.gov>; SASMC Staff Contacts <SASMC_Staff_Contacts@epa.gov>; Special Accounts National Contacts <Special_Accounts_National_Contacts@epa.gov>; OLEM OSRTI IO <OLEM_OSRTI_IO@epa.gov>; OCFO-Regional-Comptroller <OCFORegionalComptroller@epa.gov>; Wilbur, Jennifer <Wilbur.Jennifer@epa.gov>; Gartner, Lois <Gartner.Lois@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Michaud, John <Michaud.John@epa.gov>; 'Jennifer Hovis' <Hovis.Jennifer@epa.gov>; 'Doug Ammon' <Ammon.Doug@epa.gov>; 'Richard Jeng' <Jeng.Richard@epa.gov>; Jennifer Edwards <Edwards.Jennifer@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>
Subject: Special Accounts Quarterly Management Reports - 3rd Quarter FY 2019

Regional SF DDs and Special Accounts Senior Management Committee:

Attached are the special accounts management reports for 3rd quarter FY 2019.

Ex. 5 Deliberative Process (DP)

We appreciate the focus on spending available special account funds for sites. Please continue to review your special account available balances and use these funds for site-specific response prior to appropriated funds.

If you have any questions about these reports, please contact Tracey Stewart.


Qrtly Status of SAs_3rd Qtr FY1...


Notification Memo Tracking Sheet_...

AMERICAN OVERSIGHT

Message

From: Harwood, Jackie [Harwood.Jackie@epa.gov]
Sent: 2/27/2019 1:35:13 PM
To: Cook, Steven [cook.steven@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]
Subject: RE: URGENT for B/P/S: Wheeler TPs and Press Release Info

Hi Steven – We'll work with OSRTI on this and get back to you.

Jackie Harwood
Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Cook, Steven
Sent: Tuesday, February 26, 2019 6:41 PM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: RE: URGENT for B/P/S: Wheeler TPs and Press Release Info

Ex. 5 Deliberative Process (DP)

From: Harwood, Jackie
Sent: Tuesday, February 26, 2019 5:46 PM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: URGENT for B/P/S: Wheeler TPs and Press Release Info
Importance: High

Hi Barry, Peter and Steven,

Attached are draft talking points on the Accomplishments Report for Wheeler's March 3rd event at the Passaic River Superfund site, and draft language for a press release – for your review. They have been reviewed by Jim Woolford and OCPA. FYI - R2 is preparing talking points on the Passaic River site for the Acting Administrator, which will be combined with ours.

The last piece of information Veronica asked us for is a one-pager on the Accomplishments Report for your briefing with Wheeler on Thursday. OSRTI is working on this and we'll be able to send it to you tomorrow morning.

Please let me know if you have any questions.

Jackie Harwood

AMERICAN OVERSIGHT

Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Harwood, Jackie
Sent: Tuesday, February 26, 2019 2:14 PM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: March 4

Hi Peter, Barry, and Steven,

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Let me know if you have any questions.

Jackie

Jackie Harwood
Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Wright, Peter
Sent: Tuesday, February 26, 2019 11:48 AM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Fwd: March 4

All

Please see the note below. It looks like we will be scrambling. Please recall I am recused from the Passaic. I thought we also were considering feature a redevelopment site NJ. We also of course need to coordinate with Pete Lopez and his team.

Peter
Sent from my iPhone

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> **From:** "Jackson, Ryan" <jackson.ryan@epa.gov>
> **Date:** February 26, 2019 at 11:33:36 AM EST
> **To:** "Humphreys, Hayly" <humphreys.hayly@epa.gov>, "Wright, Peter" <wright.peter@epa.gov>,

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"Darwin, Veronica" <darwin.veronica@epa.gov>, "Cook, Steven" <cook.steven@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>
Cc: "Molina, Michael" <molina.michael@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>
Subject: March 4

So I understand we are looking to highlight out Superfund Accomplishments Report on March 4 with an event in NY involving the Passaic River.

We need to schedule a briefing on the report, plans for the event, status of Passaic, and run of show for that morning as soon as possible if this really is the plan. Hayly will help us get time on the schedule.

Ryan Jackson
Chief of Staff
U.S. Environmental Protection Agency
(202) 564-6999

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Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 2/27/2019 12:07:59 PM
To: Harwood, Jackie [Harwood.Jackie@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]
Subject: Re: URGENT for B/P/S: Wheeler TPs and Press Release Info

Jackie

I had a meeting late yesterday with the Acting Administrator and we discussed how the PJP site would be a better backdrop then the Passaic. I will review the talking points more thoroughly but see that site is already mentioned. I ran into Nancy Grantham and mentioned the same. I will reach out to Pete Lopez as well.

Peter

Sent from my iPad

On Feb 26, 2019, at 5:45 PM, Harwood, Jackie <Harwood.Jackie@epa.gov> wrote:

> Hi Barry, Peter and Steven,
>
> Attached are draft talking points on the Accomplishments Report for Wheeler's March 3rd event at the Passaic River Superfund site, and draft language for a press release – for your review. They have been reviewed by Jim Woolford and OCPA. FYI - R2 is preparing talking points on the Passaic River site for the Acting Administrator, which will be combined with ours.
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> Please let me know if you have any questions.
>
> ---
> *Jackie Harwood*
> *Communications Director*
> *Office of Land and Emergency Management (OLEM/OCPA)*
> *U.S. Environmental Protection Agency*
> *(202) 564-7578*
> ***Follow OLEM on Twitter: @EPALand***
>
> **From:** Harwood, Jackie
> **Sent:** Tuesday, February 26, 2019 2:14 PM
> **To:** Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
> **Cc:** Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
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AMERICAN OVERSIGHT

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Jackie

Jackie Harwood
Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
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From: Wright, Peter
Sent: Tuesday, February 26, 2019 11:48 AM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Fwd: March 4

All

Please see the note below. It looks like we will be scrambling. Please recall I am recused from the Passaic. I thought we also were considering feature a redevelopment site NJ. We also of course need to coordinate with Pete Lopez and his team.

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Sent from my iPhone

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> **Date:** February 26, 2019 at 11:33:36 AM EST
> **To:** "Humphreys, Hayly" <humphreys.hayly@epa.gov>, "Wright, Peter" <wright.peter@epa.gov>, "Darwin, Veronica" <darwin.veronica@epa.gov>, "Cook, Steven" <cook.steven@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>
> **Cc:** "Molina, Michael" <molina.michael@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>
> **Subject: March 4**
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AMERICAN OVERSIGHT

Ryan Jackson
Chief of Staff
U.S. Environmental Protection Agency
(202) 564-6999

<FY18 SFAccompReport.WheelerTPs.PR.Draft.2.26.29.docx>

AMERICAN OVERSIGHT

Message

From: Brooks, Becky [Brooks.Becky@epa.gov]
Sent: 7/24/2018 7:43:42 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Wright, Peter [wright.peter@epa.gov]
Subject: FW: Recusal Statement -- Peter Wright
Attachments: Peter Wright Recusal 07 24 2018.pdf

So you have as well.

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Brooks, Becky
Sent: Tuesday, July 24, 2018 2:52 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Cc: Wright, Peter <wright.peter@epa.gov>
Subject: Recusal Statement -- Peter Wright

Please see the attached recusal statement from Peter Wright.

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency

AMERICAN OVERSIGHT

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

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

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ED_002965A_00001036-00001

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

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personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Message

From: Harwood, Jackie [Harwood.Jackie@epa.gov]
Sent: 2/26/2019 10:45:34 PM
To: Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]
Subject: URGENT for B/P/S: Wheeler TPs and Press Release Info
Attachments: FY18 SFAccompReport.WheelerTPs.PR.Draft.2.26.29.docx

Importance: High

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Jackie Harwood
Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
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AMERICAN OVERSIGHT

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Sent: Tuesday, February 26, 2019 11:48 AM
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Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Fwd: March 4

All

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Sent from my iPhone

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> **Date:** February 26, 2019 at 11:33:36 AM EST
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>
> Ryan Jackson
> Chief of Staff
> U.S. Environmental Protection Agency
> (202) 564-6999

AMERICAN OVERSIGHT

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 7/10/2019 4:50:52 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Goldman, Lisa [Goldman.Lisa@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Ross, David P [ross.davidp@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Sheehan, Charles [Sheehan.Charles@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Stein, Kathie [Stein.Kathie@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Wright, Peter [wright.peter@epa.gov]
Subject: Ethics advice concerning your invitation to the ELI dinner

Hi there,
OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 22, 2019 at the Omni Shoreham Hotel in Washington, DC. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch.

This event qualifies for the Widely-Attended-Gathering gift exception and the donor is not a federally registered lobbyist. Thus, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form because the gift is valued at $200, which is BELOW the reporting threshold.

This approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable and is not intended for more than just one attendee.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)
The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event
Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.
Regards,
Justina

AMERICAN OVERSIGHT

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

AMERICAN OVERSIGHT

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 12/14/2018 9:43:00 PM
To: Harwood, Jackie [Harwood.Jackie@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Keller, Melanie [Keller.Melanie@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: RE: For B/P/S Review: 7 SF Site Fact Sheets for your review

All:

I am recused from Ex. 5 Deliberative Process (DP) would target getting all of this over on Monday.

Jackie and Melanie, based on the meeting that just ended the Acting Administrator expects that we will have another one for t Ex. 5 Deliberative Process (DP) hat we will prepare and can also shoot to have that in place on Monday.

Thank you for all of the work.

Peter

From: Harwood, Jackie
Sent: Friday, December 14, 2018 3:47 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: For B/P/S Review: 7 SF Site Fact Sheets for your review
Importance: High

Hi Barry, Peter, and Steven,

Attached are 7 SF site fact sheets -- **for your review**. These have been reviewed/edited by Jim Woolford and OSRTI.

Ex. 5 Deliberative Process (DP)

As you can see below, OSRTI is still reviewing 9 more fact sheets. We'll pass those on as soon as we receive them. Please let me know if you'd like to get together to go over these today or Monday.

Thanks.
Jackie

OCIR's List of Regional SF Site Fact Sheets:

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

Jackie Harwood
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

AMERICAN OVERSIGHT

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 5/8/2019 7:38:24 PM
To: Brooks, Becky [Brooks.Becky@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Edlund, Carl [Edlund.Carl@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Meyer, John [Meyer.John@epa.gov]; Peycke, Mark [Peycke.Mark@epa.gov]; Adams, Adam [Adams.Adam@epa.gov]; Josiam, Raji [josiam.raji@epa.gov]
Subject: Re: USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16

All

I am recused from this site.

Peter

Sent from my iPhone

On May 8, 2019, at 2:21 PM, Brooks, Becky <Brooks.Becky@epa.gov> wrote:

> Steven – Zach is not on the internal emails. Would you like me to respond to his April 26 email letting him know that we are still working on this and you will get back to him early next week?
>
> *Becky Brooks*
> *Special Assistant*
> *Office of Land and Emergency Management*
> *U.S. Environmental Protection Agency*
> *ph. 202-566-2762*
>
> ---
>
> **From:** Cook, Steven
> **Sent:** Wednesday, May 08, 2019 3:12 PM
> **To:** Edlund, Carl <Edlund.Carl@epa.gov>
> **Cc:** Woolford, James <Woolford.James@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Meyer, John <Meyer.John@epa.gov>; Peycke, Mark <Peycke.Mark@epa.gov>; Adams, Adam <Adams.Adam@epa.gov>; Josiam, Raji <josiam.raji@epa.gov>
> **Subject:** Re: USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16
>
> Zach -
>
> Still working on this
>
> Steven
>
> Sent from my iPhone
>
> On May 7, 2019, at 11:16 AM, Edlund, Carl <Edlund.Carl@epa.gov> wrote:
>
> > Thanks...we'll need a few days (Friday OK?) to respond to these positions

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Sent from my iPad

On May 7, 2019, at 9:11 AM, Woolford, James <Woolford.James@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Thanks

Sent from my iPhone

On May 7, 2019, at 10:02 AM, Cook, Steven <cook.steven@epa.gov> wrote:

All – thoughts on taking this meeting?

Steven

From: Craft, Zachary <zlcraft@eprod.com>
Sent: Friday, April 26, 2019 11:01 AM
To: Cook, Steven <cook.steven@epa.gov>
Cc: 'Pastor, Eric' <Eric_Pastor@golder.com>
Subject: USOR Superfund Site and Implementation of Superfund Task Force Recommendation 16

Steven,

On behalf of the U.S. Oil Recovery Superfund Site PRP Group (Enterprise is a member), I want to see how we can implement the recommendations from the Superfund Task Force for high-performing PRPs. We have discussed this with Region 6 staff and they are supportive of our reaching out to others within EPA to determine the specifics of obtaining this designation as they are also making inquiries internally. Our site consultant Eric Pastor (cc) will make sure the Region 6 staff know that we have reached out to you.

Our objectives are:

1. To qualify for reduced oversight incentives pursuant to Superfund Task Force Recommendation 16.

2. Share with you specific datapoints as to our group's performance and concerns about exorbitant oversight costs, which position the USOR Site to be a case for successful

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implementation of Superfund Task Force Recommendation 16.

Our group representatives are generally available May 20 in the afternoon or anytime May 21-24, or June 4-8. Or, we are receptive to date/time suggestions that are good for your team. A teleconference may be easiest, unless there is a convenient time for you while you are in downtown Houston, in which case we could meet in person.

Thanks,
--Zach

Zachary L. Craft
Counsel

1100 Louisiana Street, 24th Floor
Houston, Texas 77002
713.381.3749 (office)
281.887.7840 (fax)
713.449.9245 (mobile)
zlcraft@eprod.com

This email (including any attachments) may be privileged and confidential. If you are not the intended recipient, please delete it and notify the sender.

This message (including any attachments) is confidential and intended for a specific individual and purpose. If you are not the intended recipient, please notify the sender immediately and delete this message.

The content image001.jpg of type has been blocked.

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Message

From: Harwood, Jackie [Harwood.Jackie@epa.gov]
Sent: 5/8/2019 7:18:00 PM
To: Hilosky, Nick [Hilosky.Nick@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]
Subject: RE: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement

Thank you Barry, Steven, and Nick. Appreciate the quick response.

Jackie Harwood
Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Hilosky, Nick
Sent: Wednesday, May 08, 2019 3:16 PM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: RE: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement

Jackie,
Barry is ok with it.
Nick

From: Harwood, Jackie
Sent: Wednesday, May 8, 2019 2:53 PM
To: Cook, Steven <cook.steven@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: RE: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement

Great – thanks!

Jackie Harwood
Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Cook, Steven
Sent: Wednesday, May 08, 2019 2:52 PM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: Re: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement

Jackie - the AO is working this now.

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Removed Peter due to recusal.

Sent from my iPhone

On May 8, 2019, at 2:16 PM, Harwood, Jackie <Harwood.Jackie@epa.gov> wrote:

> Hi Steven – it's actually mentioned in the first paragraph. We can add more language on it if you think it needs it.
>
> ---
> *Jackie Harwood*
> *Communications Director*
> *Office of Land and Emergency Management (OLEM/OCPA)*
> *U.S. Environmental Protection Agency*
> *(202) 564-7578*
> ***Follow OLEM on Twitter: @EPALand***
>
> ---
>
> **From:** Cook, Steven
> **Sent:** Wednesday, May 08, 2019 2:10 PM
> **To:** Harwood, Jackie <Harwood.Jackie@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>
> **Cc:** Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
> **Subject:** RE: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement
>
> Jackie – **Ex. 5 Deliberative Process (DP)**
> **Ex. 5 Deliberative Process (DP)**
>
> ---
>
> **From:** Harwood, Jackie
> **Sent:** Wednesday, May 8, 2019 1:51 PM
> **To:** Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>
> **Cc:** Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
> **Subject:** URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement
> **Importance:** High
>
> Hi Barry, Peter, Steven,
>
> Attached is a draft press release that R10 intends to send out tomorrow on Portland Harbor – for
>
> **Ex. 5 Deliberative Process (DP)**
>
> Please let me know if you have any questions or concerns.
>
> ---
> *Jackie Harwood*

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Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

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Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 9/27/2018 10:00:21 PM
To: Wright, Peter [wright.peter@epa.gov]; Gartner, Lois [Gartner.Lois@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Bilbrey, Sheryl [Bilbrey.Sheryl@epa.gov]; Fleming, Sheila [fleming.sheila@epa.gov]; Grandinetti, Cami [Grandinetti.Cami@epa.gov]
Subject: RE: Portland Harbor Material

Our bad. We will do better

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)

Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.

Phone: (703) 603 8960– Main Office Line

Physically located at:

Room 5622
One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

From: Wright, Peter
Sent: Thursday, September 27, 2018 6:00 PM
To: Gartner, Lois <Gartner.Lois@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Bilbrey, Sheryl <Bilbrey.Sheryl@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Grandinetti, Cami <Grandinetti.Cami@epa.gov>
Subject: RE: Portland Harbor Material

All;

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I will delete these materials as I am recused from this matter.

Peter

From: Gartner, Lois
Sent: Thursday, September 27, 2018 5:49 PM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Bilbrey, Sheryl <Bilbrey.Sheryl@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Grandinetti, Cami <Grandinetti.Cami@epa.gov>
Subject: Portland Harbor Material

Silvina:

Please find attached four Portland Harbor documents, three fact sheets and one map. These documents have not been reviewed by the OLEM IO. Also, I understand that you and Jim discussed the Quendall fact sheet and that you are set in that regard.

Thanks for your patience.

Lois Haas Gartner
Special Assistant
Office of Superfund Remediation
and Technology Innovation
U.S. Environmental Protection Agency
703.603.8711 (desk)
703.581.9794 (cell)

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Message

From: Harwood, Jackie [Harwood.Jackie@epa.gov]
Sent: 1/30/2019 2:41:06 PM
To: Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

Sorry -- meant to say "will do - thanks Peter."

Jackie Harwood
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Harwood, Jackie
Sent: Wednesday, January 30, 2019 9:38 AM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

Will do -- thanks Steven.

Jackie Harwood
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Wright, Peter
Sent: Wednesday, January 30, 2019 9:37 AM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

All:

Out of abundance of caution I will not review the draft responses as they appear to be related directly or indirectly to Portland Harbor, a site from which I am recused. Please drop my from the distribution.

Thank you.

Peter

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Message

From: Cook, Steven [cook.steven@epa.gov]
Sent: 7/20/2018 10:01:12 PM
To: Chancellor, Erin [chancellor.erin@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]
Subject: RE: Superfund DD Weekly Call Recap

For clarification, Peter receives a separate summary that does not include information on sites subject to his recusal.

From: Chancellor, Erin
Sent: Friday, July 20, 2018 4:26 PM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>
Subject: RE: Superfund DD Weekly Call Recap

Quick note- Peter is purposely left off these emails and will receive a separate email, so please do not forward to him.

Thanks,

Erin E. Chancellor
Counsel to the Administrator
U.S. Environmental Protection Agency
(202) 566-1757 (office)
(202) 731-2835 (cell)
chancellor.erin@epa.gov

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Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 3/21/2019 1:23:22 AM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: FY 2019 $50M Synopsis
Attachments: FY 2019 $50M Synopsis 3.1.2019 unscrubbed (updated).docx; FY 2019 Briefing Schedule.docx

Attached is an updated $50M synopsis that includes the requested information, as well as an updated proposed schedule based on my conversations with the regions. Sending to Peter separately due to recusal from USS Lead.

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Fonseca, Silvina
Sent: Friday, March 1, 2019 11:01 PM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: FY 2019 $50M Synopsis

Good evening Barry, Peter and Steven,

As requested I have been working on the synopsis of those sites that may/will need the Administrator's approval to facilitate the discussions with Henry and the Administrator on the next steps. Attached you will find a draft that is not complete as I am waiting to get conformation from the Region on a few outstanding items, which I am confident we will get by early next week. Taylor and I have discussed and I have also informed the regions, so she will be getting the information and finalizing in my absence. As such, it would be helpful if you could look through this draft and provide any feedback as to whether this meets your needs/vision/expectations. I have erred on the side of being more inclusive as it will be easier to trim down.

Thank you!

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Message

From: Darwin, Veronica [darwin.veronica@epa.gov]
Sent: 2/26/2019 5:18:34 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Harwood, Jackie [Harwood.Jackie@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: March 4

Apologies for the disconnect. Region 2 is working on site talking points and site update one-pager. Jackie agreed to pull together some talking points for the SF accomplishments report. Can OLEM please prepare a one-pager on the SF accomplishments report and be available to brief the Administrator? We're working on the timing for the briefing. Thank you for your understanding.

Please let me know if you have any questions.

Veronica

From: Wright, Peter
Sent: Tuesday, February 26, 2019 11:48 AM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Fwd: March 4

All

Please see the note below. It looks like we will be scrambling. Please recall I am recused from the Passaic. Ex. 5 Deliberative Process (DP) We also of course need to coordinate with Pete Lopez and his team.

Peter
Sent from my iPhone

Begin forwarded message:

> **From:** "Jackson, Ryan" <jackson.ryan@epa.gov>
> **Date:** February 26, 2019 at 11:33:36 AM EST
> **To:** "Humphreys, Hayly" <humphreys.hayly@epa.gov>, "Wright, Peter" <wright.peter@epa.gov>, "Darwin, Veronica" <darwin.veronica@epa.gov>, "Cook, Steven" <cook.steven@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>
> **Cc:** "Molina, Michael" <molina.michael@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>
> **Subject: March 4**
>
> So I understand we are looking to highlight out Superfund Accomplishments Report on March 4 with an event in NY involving the Passaic River.
>
> We need to schedule a briefing on the report, plans for the event, status of Passaic, and run of show for that morning as soon as possible if this really is the plan. Hayly will help us get time on the schedule.

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Ryan Jackson
Chief of Staff
U.S. Environmental Protection Agency
(202) 564-6999

AMERICAN OVERSIGHT

Message

From: Darwin, Veronica [darwin.veronica@epa.gov]
Sent: 2/26/2019 4:50:30 PM
To: Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Harwood, Jackie [Harwood.Jackie@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: March 4

Peter,
I will discuss the coordination efforts with Region 2 with the rest of the team on a separate email. Thank you.

Veronica

From: Wright, Peter
Sent: Tuesday, February 26, 2019 11:48 AM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Fwd: March 4

All

Please see the note below. It looks like we will be scrambling. Please recall I am recused from the Passaic. Ex. 5 Deliberative Process (DP) **Ex. 5 Deliberative Process (DP)** We also of course need to coordinate with Pete Lopez and his team.

Peter
Sent from my iPhone

Begin forwarded message:

> **From:** "Jackson, Ryan" <jackson.ryan@epa.gov>
> **Date:** February 26, 2019 at 11:33:36 AM EST
> **To:** "Humphreys, Hayly" <humphreys.hayly@epa.gov>, "Wright, Peter" <wright.peter@epa.gov>, "Darwin, Veronica" <darwin.veronica@epa.gov>, "Cook, Steven" <cook.steven@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>
> **Cc:** "Molina, Michael" <molina.michael@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>
> **Subject: March 4**
>
> So I understand we are looking to highlight out Superfund Accomplishments Report on March 4 with an event in NY involving the Passaic River.
>
> We need to schedule a briefing on the report, plans for the event, status of Passaic, and run of show for that morning as soon as possible if this really is the plan. Hayly will help us get time on the schedule.
>
> Ryan Jackson
> Chief of Staff

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U.S. Environmental Protection Agency
(202) 564-6999

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 8/8/2019 2:58:55 PM
To: Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Harwood, Jackie [Harwood.Jackie@epa.gov]
Subject: RE: Universal Oil Products

Great! thank you! **Ex. 5 Deliberative Process (DP)**

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Cook, Steven <cook.steven@epa.gov>
Sent: Thursday, August 08, 2019 8:47 AM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>
Subject: RE: Universal Oil Products

All –

Ex. 5 Deliberative Process (DP)

Steven

From: Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Sent: Tuesday, August 6, 2019 6:33 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>
Subject: Universal Oil Products

Please do not forward to Peter Wright as he is recused from Universal Oil Products.

Good afternoon,

I am writing this email because calendars are very tight so I thought this could get us to an answer much quicker. I told the acting Division Director that I would engage senior leadership and get feedback as soon as I could.

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Ex. 5 Deliberative Process (DP)

Please let me know if you need any more information or have any questions.

Silvina Fonseca
Senior Advisor
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk: 202.564.1955
Ex. 6 Personal Privacy (PP)

AMERICAN OVERSIGHT

June 19, 2018

RECUSAL STATEMENT OF PETER WRIGHT

To: E. Scott Pruitt, EPA Administrator

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This recusal statement formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I will sign upon entering federal service, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement sent to the Senate Environment and Public Works Committee, I agreed to forfeit all DowDuPont, Inc. stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont, Inc. within 90 days of my confirmation. If I enter federal service prior to confirmation, then I will sell the stock within 90 days of joining EPA. Until I sell the stock, I understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

Name of Entity	Date when recusal ends
DowDuPont, Inc.	My financial conflict of interest continues for as long as I own stock in this company. Upon divestiture, I understand that I am still subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	continues for as long as I own stock in the chemical industry sector

Once I have sold the stock, I will update this recusal statement.

AMERICAN OVERSIGHT

ED_002965A_00006819-00001

OBLIGATIONS UNDER EXECUTIVE ORDER 13,770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont Inc., the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I join federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective. I understand that such meetings do not have to be open to every comer, but should include a multiplicity of parties[1].

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDuPont Inc.	[two years from date of appointment], 2020
National Association of Wabash Men, Board of Directors	[two years from date of appointment], 2020
Lambda Chi Alpha Home Association of Wabash College, Board of Directors	[two years from date of appointment], 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I want to state clearly that I will not participate in any of the Superfund sites at which DowDuPont is a potentially responsible party (PRP). *See* attached lists generated by the Office of Site Remediation and Enforcement.

[1] As explained by the Office of Government Ethics, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, I could attend such a meeting even if one of the stakeholders is a former employer or former client. *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

AMERICAN OVERSIGHT

Consistent with my bar rules, while at EPA, I will not participate in any site on the attached lists that I previously worked on personally and substantially. Consistent with my obligations under ethics regulations and the Executive Order, for any of the sites on the attached list that I did not work on personally and substantially, I will not participate on that site until after [two years from date of appointment], 2020.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in the matters relating to any of the entities listed above, I will instruct Barry Breen or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed at my attention that involve these entities. All inquiries and comments involving the entities on my recusal list should be directed to Barry or Steven without my knowledge and involvement until after my recusal period ends.

If Barry or Steven determine that a particular matter will directly involve any of the entities listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

Sincerely,

Peter Wright

Attachments

cc: Ryan Jackson, Chief of Staff
Steven Cook, Deputy Assistant Administrator
Barry Breen, Principal Deputy Assistant Administrator
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

Message

From: wright.peter@epa.gov [wright.peter@epa.gov]
Sent: 8/21/2019 7:02:22 PM
To: Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Re: Recusal email to DDs

Steven

This will be good.

Thank you.

Peter

Sent from my iPad

On Aug 21, 2019, at 11:58 AM, Cook, Steven <cook.steven@epa.gov> wrote:

> How about we just add in the following sentence – However, please note that Chemours facilities are not subject to the recusal.
>
> **From:** Wright, Peter <wright.peter@epa.gov>
> **Sent:** Wednesday, August 21, 2019 2:07 PM
> **To:** Cook, Steven <cook.steven@epa.gov>
> **Cc:** Hilosky, Nick <Hilosky.Nick@epa.gov>
> **Subject:** Re: Recusal email to DDs
>
> Steven
>
> The note looks fine. One possible clarification that may not be necessary to make is that I am not disqualified from working on Chemours sites.
>
> It can go out as is and then we can see down the road if we need to make this or any other clarification.
>
> Thank you.
>
> Peter
>
> Sent from my iPad
>
> On Aug 20, 2019, at 8:31 AM, Cook, Steven <cook.steven@epa.gov> wrote:
>
> > Peter –
> >
> > Below is the draft email Nick and I have worked up to send to the region DDs for SEM and LCARD. Any revisions?
> >
> > Dear Colleagues,

AMERICAN OVERSIGHT

In an effort to meet our ethics obligations, please ensure that when sending site-specific information to the OLEM AA and/or OLEM Immediate Office, you check Peter Wright's recusal list before sending,

For Superfund sites: If there is specific information for a site on the recusal list, please do not include Peter Wright on the email. Please do include in the email a note that you are leaving him off because he is recused. We've attached Peter's most recent recusal list for your information. This recusal list will be in place until July 8, 2020. After that, a more limited list of sites will still be subject to recusal. We will circulate an updated list at that time.

For RCRA and current operating sites: Peter is recused from specific matters involving DowDuPont sites, including subsidiaries and recent spin-offs, for two years (until July 8, 2020). If you need to send site specific information to the OLEM AA or I/O please follow the same protocol as above.

Thank you in advance for your help,

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
+1 202.566.0609
cook.steven@epa.gov

AMERICAN OVERSIGHT

Message

From: Doyle, Brett [doyle.brett@epa.gov]
Sent: 5/8/2019 6:27:52 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: RE: URGENT: For B/P/S/OSRTI

Sorry, that was an oversight. Removed you from the chain.

From: Wright, Peter
Sent: Wednesday, May 8, 2019 2:26 PM
To: Doyle, Brett <doyle.brett@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>
Subject: Re: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement

All

I am recused from this site.

Peter

Sent from my iPhone

AMERICAN OVERSIGHT

Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 3/21/2019 1:24:11 AM
To: Wright, Peter [wright.peter@epa.gov]
Subject: FW: FY 2019 $50M Synopsis
Attachments: FY 2019 Briefing Schedule.docx; FY 2019 $50M Synopsis 3.1.2019 scrubbed for PW.docx

Attached is an updated $50M synopsis that includes the requested information, as well as an updated proposed schedule based on my conversations with the regions. Sent to you separately due to recusal from USS Lead.

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Hoverman, Taylor
Sent: Wednesday, March 20, 2019 9:23 PM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: FY 2019 $50M Synopsis

Attached is an updated $50M synopsis that includes the requested information, as well as an updated proposed schedule based on my conversations with the regions. Sending to Peter separately due to recusal from USS Lead.

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Fonseca, Silvina
Sent: Friday, March 1, 2019 11:01 PM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: FY 2019 $50M Synopsis

Good evening Barry, Peter and Steven,

As requested I have been working on the synopsis of those sites that may/will need the Administrator's approval to facilitate the discussions with Henry and the Administrator on the next steps. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Thank you!

AMERICAN OVERSIGHT

Message

From: Zimmer, Nathaniel [zimmer.nathaniel@epa.gov]
Sent: 3/19/2019 7:22:49 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Edwards, Crystal [Edwards.Crystal@epa.gov]; Kenely, Caroline [Kenely.Caroline@epa.gov]; Ross, David P [ross.davidp@epa.gov]
Subject: RE: Meeting with American Chemistry Council - 3/26 @ 3 - 4:00 pm

Peter,

Understandable. Will forward you the event now along with your staff. The ACC attendees are the following:

- Bryan Zumwalt, VP of Federal Affairs
- Steve Russell, VP of Plastics Division
- Stewart Harris, Director of Marine and Environmental Stewardship

Best,

Nathaniel Zimmer
Senior Advisor
Office of International and Tribal Affairs
United States Environmental Protection Agency
1300 Pennsylvania Ave NW
Washington, DC 20460
Mobile: 202-716-9530 I Office: 202-564-4857
zimmer.nathaniel@epa.gov

From: Wright, Peter
Sent: Tuesday, March 19, 2019 12:44 PM
To: Zimmer, Nathaniel <zimmer.nathaniel@epa.gov>
Cc: Edwards, Crystal <Edwards.Crystal@epa.gov>; Kenely, Caroline <Kenely.Caroline@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Subject: RE: Meeting with American Chemistry Council - 3/26 @ 3 - 4:00 pm

Nate

I will have to leave the meeting early to make an appointment on Capitol Hill. I may also have to find out what ACC members are attending to make sure that I do not have an ethics conflict if a Dow representative will be in attendance. I would be glad to ask Kathleen Salyer to attend as she is OLEM's point person on this topic and is in fact in France this week preparing for this meeting.

Peter

From: Zimmer, Nathaniel
Sent: Tuesday, March 19, 2019 11:49 AM
To: Ross, David P <ross.davidp@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Edwards, Crystal <Edwards.Crystal@epa.gov>; Kenely, Caroline <Kenely.Caroline@epa.gov>
Subject: Meeting with American Chemistry Council - 3/26 @ 3 - 4:00 pm

AMERICAN OVERSIGHT

David and Peter,

Chad has requested your attendance for a meeting with the American Chemistry council on 3/26. The meeting is to discuss preparation for the G7 Ministerial meeting in France – specifically regarding marine plastics.

Please let me know if available or need additional information.

Best,

Nathaniel Zimmer
Senior Advisor
Office of International and Tribal Affairs
United States Environmental Protection Agency
1300 Pennsylvania Ave NW
Washington, DC 20460
Mobile: 202-716-9530 I Office: 202-564-4857
zimmer.nathaniel@epa.gov

AMERICAN OVERSIGHT

Message

From: Cook, Steven [cook.steven@epa.gov]
Sent: 3/29/2019 3:34:15 AM
To: Hewitt, James [hewitt.james@epa.gov]
CC: Wright, Peter [wright.peter@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: RE: Administrator Wheeler's updated recusal list

James –

Here are the two sites that are now on my recusal list.

1) Old Mill (Rock Creek, OH)
2) New Lyme Landfill (New Lyme, OH)

Steven

From: Cook, Steven
Sent: Wednesday, March 27, 2019 5:15 PM
To: Hewitt, James <hewitt.james@epa.gov>
Cc: Wright, Peter <wright.peter@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: Re: Administrator Wheeler's updated recusal list

James -

Since I left LyonsellBasell they purchased a company that is a PRP at two sites in Ohio. I noticed Ethics. When I land I can dig out the names. The recusal will last until Feb. 2020 when 2 years lapses.

Sent from my iPhone

On Mar 27, 2019, at 5:08 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

> Great, thanks.
>
> **From:** Wright, Peter
> **Sent:** Wednesday, March 27, 2019 5:04 PM
> **To:** Hewitt, James <hewitt.james@epa.gov>
> **Cc:** Abboud, Michael <abboud.michael@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
> **Subject:** RE: Administrator Wheeler's updated recusal list
>
> James
>
> I am permanently recused from Dow Chemical sites because I worked on (or may have worked on) those sites as an attorney for Dow and so in addition to EPA/Government ethic issues, I have legal ethic bar from working on those sites. I agreed to also not work on DuPont Superfund sites for two years from the beginning of my employment because when I joined EPA Dow and DuPont were both owned by DowDuPont. I never worked on any of the DuPont sites and so I have no confidential knowledge about those sites.

AMERICAN OVERSIGHT

Whether a company is a PRP at a site can change over time. For example, a company might receive an information request that indicates a potential link with a site, but later it is determined the company has no association with a site. It is also possible for company to be named much later to a site if for example documents are found connecting a company to a site or a company buys another company connected to a site and has an indemnification obligation. Thus, there is the need to periodically check.

Please see my title below.

Peter

Peter C Wright
Special Counsel, Office of the Administrator
United States Environmental Protection Agency
1301 Constitutional Ave NW
Washington, DC
202-566-9988

From: Hewitt, James
Sent: Wednesday, March 27, 2019 3:41 PM
To: Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: FW: Administrator Wheeler's updated recusal list

Steven & Peter, please see below.

Peter, do you still have the same title?

From: Carignan, Sylvia <scarignan@bloombergenvironment.com>
Sent: Wednesday, March 27, 2019 3:32 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Administrator Wheeler's updated recusal list

Sorry, getting my companies mixed up – I mean Steve worked at LyondellBasell, not Dow.

From: Carignan, Sylvia
Sent: Wednesday, March 27, 2019 3:30 PM
To: 'Abboud, Michael' <abboud.michael@epa.gov>
Cc: Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Administrator Wheeler's updated recusal list

Great, thank you. I'm guessing Steven Cook is not recused from Dow sites because a certain amount of time has passed since he left the company; is that correct?

And could you confirm that Peter Wright is still working at the EPA as special adviser to the administrator?

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Wednesday, March 27, 2019 3:21 PM

AMERICAN OVERSIGHT

To: Carignan, Sylvia <scarignan@bloombergenvironment.com>
Cc: Hewitt, James <hewitt.james@epa.gov>
Subject: Administrator Wheeler's updated recusal list

Sylvia –

Attached is Wheeler's updated Superfund recusal list, as well as the previous one from June 2018. I've also scanned summary pages of both lists and attached them as PDFs.

A couple other notes, Steven Cook does not have any recusals from Superfund sites. Peter Wright's Superfund recusal list is attached, we are running an updated search now to update it (on the same quarterly timeline as Wheeler) but it won't be available until tomorrow morning.

Michael Abboud
U.S. Environmental Protection Agency
Office of Public Affairs
M: 202-564-6461

AMERICAN OVERSIGHT

Message

From: Greaves, Holly [greaves.holly@epa.gov]
Sent: 4/1/2019 10:23:41 PM
To: Hoverman, Taylor [hoverman.taylor@epa.gov]; Wright, Peter [wright.peter@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]
Subject: RE: Portland Harbor, Maine

No problem, thank you!

-----Original Message-----
From: Hoverman, Taylor
Sent: Monday, April 1, 2019 6:20 PM
To: Greaves, Holly <greaves.holly@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>
Subject: RE: Portland Harbor, Maine

I just noticed that when I incorporated Peter's edit, I didn't correct the rest of the sentence. Corrected below:

EPA understands that this project is a high priority for the City and State and is COORDINATING with the Regional Administrator's office.

Taylor Hoverman
Policy Counsel to the Assistant Administrator Office of Land and Emergency Management U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

-----Original Message-----
From: Greaves, Holly
Sent: Monday, April 1, 2019 6:17 PM
To: Hoverman, Taylor <hoverman.taylor@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>
Subject: RE: Portland Harbor, Maine

THANK YOU! This is great.

-----Original Message-----
From: Hoverman, Taylor
Sent: Monday, April 1, 2019 6:10 PM
To: Greaves, Holly <greaves.holly@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>
Subject: RE: Portland Harbor, Maine

Holly,

Attached is a brief fact sheet on Portland Harbor, Maine. Sorry we don't have more information!

Taylor Hoverman
Policy Counsel to the Assistant Administrator Office of Land and Emergency Management U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

-----Original Message-----
From: Greaves, Holly
Sent: Monday, April 1, 2019 12:33 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: RE: Portland Harbor, Maine

Wonderful, thanks! If you could pull together a fact sheet or some high level talking points and send them over, I would appreciate it.

-----Original Message-----
From: Wright, Peter
Sent: Monday, April 1, 2019 12:02 PM
To: Greaves, Holly <greaves.holly@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: Re: Portland Harbor, Maine

Holly

AMERICAN OVERSIGHT

I have been brought up to speed.

Peter

Sent from my iPad

> On Apr 1, 2019, at 10:26 AM, Greaves, Holly <greaves.holly@epa.gov> wrote:
>
> Thanks Peter. The member bios OCIR prepared reference Maine. See attached.
>
> [image1.jpeg]
>
> Sent from my iPhone
>
> On Apr 1, 2019, at 10:22 AM, Wright, Peter <wright.peter@epa.gov<mailto:wright.peter@epa.gov>> wrote:
>
> Holly
>
> I expect this is Portland Harbor in Oregon. If so I am recused but there should be materials. I am copying Steven and Taylor. If it is Maine I had no idea there was an issue.
>
> Peter
>
> Sent from my iPhone
>
> On Apr 1, 2019, at 9:56 AM, Greaves, Holly <greaves.holly@epa.gov<mailto:greaves.holly@epa.gov>> wrote:
>
> GM Peter,
>
> The dredging at this site is an issue important to Rep. Pingree, but I don't see anything in our binder on this issue (unless I've missed it). Can you point me to something we have or prepare a few points in case she raises it tomorrow?
>
> Thanks!
> Holly
>
> Sent from my iPhone
> <image1.jpeg>

AMERICAN OVERSIGHT

Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 4/1/2019 10:09:39 PM
To: Greaves, Holly [greaves.holly@epa.gov]; Wright, Peter [wright.peter@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]
Subject: RE: Portland Harbor, Maine
Attachments: OLEM - Portland Harbor ME (edits).docx

Holly,

Attached is a brief fact sheet on Portland Harbor, Maine. Sorry we don't have more information!

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

-----Original Message-----
From: Greaves, Holly
Sent: Monday, April 1, 2019 12:33 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: RE: Portland Harbor, Maine

Wonderful, thanks! If you could pull together a fact sheet or some high level talking points and send them over, I would appreciate it.

-----Original Message-----
From: Wright, Peter
Sent: Monday, April 1, 2019 12:02 PM
To: Greaves, Holly <greaves.holly@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: Re: Portland Harbor, Maine

Holly

I have been brought up to speed.

Peter

Sent from my iPad

> On Apr 1, 2019, at 10:26 AM, Greaves, Holly <greaves.holly@epa.gov> wrote:
>
> Thanks Peter. The member bios OCIR prepared reference Maine. See attached.
>
> [image1.jpeg]
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>
> On Apr 1, 2019, at 10:22 AM, Wright, Peter <wright.peter@epa.gov<mailto:wright.peter@epa.gov>> wrote:
>
> Holly
>
> I expect this is Portland Harbor in Oregon. If so I am recused but there should be materials. I am copying Steven and Taylor. If it is Maine I had no idea there was an issue.
>
> Peter
>
> Sent from my iPhone
>
> On Apr 1, 2019, at 9:56 AM, Greaves, Holly <greaves.holly@epa.gov<mailto:greaves.holly@epa.gov>> wrote:
>
> GM Peter,
>
> The dredging at this site is an issue important to Rep. Pingree, but I don't see anything in our binder on this issue (unless I've missed it). Can you point me to something we have or prepare a few points in case she raises it tomorrow?
>

AMERICAN OVERSIGHT

> Thanks!
> Holly
>
> Sent from my iPhone
> <image1.jpeg>

AMERICAN OVERSIGHT

Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
Sent: 3/14/2019 8:53:45 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: AEL Briefing Materials
Attachments: **Ex. 5 Deliberative Process (DP)**

Peter,
Here are the docs for you for tomorrow (Veronica sent to the AO). Sending you this separate email with your list without recused sites – I shared the others with Barry, Nigel, OSRTI and OECA
Nick

Nicholas J. Hilosky
Special Assistant
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

AMERICAN OVERSIGHT

Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
Sent: 4/18/2019 7:27:11 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: FW: Materials for the Superfund NPL and AEL Meeting
Attachments:

Ex. 5 Deliberative Process (DP)

Importance: High

FYI – here is what we sent up for the Superfund NPL and AEL tomorrow. I am sending yours as separate note without your recused sites. Everyone else on the meeting invite got them.
Thanks,
Nick

Nicholas J. Hilosky
Special Assistant
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

AMERICAN OVERSIGHT

Message

From: Greaves, Holly [greaves.holly@epa.gov]
Sent: 4/1/2019 2:26:23 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: Re: Portland Harbor, Maine

Thanks Peter. The member bios OCIR prepared reference Maine. See attached.

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Apr 1, 2019, at 10:22 AM, Wright, Peter <wright.peter@epa.gov> wrote:

> Holly
>
> I expect this is Portland Harbor in Oregon. If so I am recused but there should be materials. I am copying Steven and Taylor. If it is Maine I had no idea there was an issue.
>
> Peter

AMERICAN OVERSIGHT

Sent from my iPhone

On Apr 1, 2019, at 9:56 AM, Greaves, Holly <greaves.holly@epa.gov> wrote:

GM Peter,

The dredging at this site is an issue important to Rep. Pingree, but I don't see anything in our binder on this issue (unless I've missed it). Can you point me to something we have or prepare a few points in case she raises it tomorrow?

Thanks!

Holly

Sent from my iPhone

AMERICAN OVERSIGHT

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 8/26/2018 5:13:19 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: RE: Request for meeting with ACC on Plastic Recovery

Correct. Let's have you decline until you divest. Hope your travels to Vermont go well. Enjoy ECOS!
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Wright, Peter
Sent: Sunday, August 26, 2018 12:55 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Fwd: Request for meeting with ACC on Plastic Recovery

Justina

I expect that I need to not accept this meeting until I divest my DowDupont stock. I am seeking your confirmation. I do not expect there is anything time critical about this meeting and if so Steven Cook and Barry can attend.

Thank you.

Peter

Sent from my iPad

Begin forwarded message:

> **From:** "Russell, Steven K." <Steven_Russell@americanchemistry.com>
> **Date:** August 25, 2018 at 5:17:21 PM EDT
> **To:** "wright.peter@epa.gov" <wright.peter@epa.gov>
> **Cc:** "johnson.barnes@epa.gov" <johnson.barnes@epa.gov>, "Cookson, Craig" <Craig_Cookson@americanchemistry.com>, "Joseph, Aiysha D." <Aiysha_Joseph@americanchemistry.com>
> **Subject: Request for meeting with ACC on Plastic Recovery**
>
> Special Counsel Wright,
>
> Attached is a meeting request from the American Chemistry Council to discuss pathways to achieving our goal for 100% reuse, recycling or recovery of plastic packaging by 2040.
>
> Regards,
> Steve Russell

AMERICAN OVERSIGHT

Steve Russell | American Chemistry Council
Vice President, Plastics Division
steven_russell@americanchemistry.com
700 2nd Street, NE | Washington, DC | 20002
O: 202.249.6600 C: 703.395.4525
www.americanchemistry.com/plastics
www.plasticsmakeitpossible.com

++++++++++++++++++++++++++++ This message may contain confidential information and is intended only for the individual named. If you are not the named addressee do not disseminate, distribute or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message which arise as a result of email transmission. American Chemistry Council, 700 – 2nd Street NE, Washington, DC 20002, www.americanchemistry.com

AMERICAN OVERSIGHT

Message

From: Brooks, Becky [Brooks.Becky@epa.gov]
Sent: 9/4/2018 5:30:35 PM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Wright, Peter [wright.peter@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: Briefing materials for tomorrow's meeting with Acting Administrator Wheeler

Thanks, Silvina. Peter, no need to print, as Teresa and Knolyn already have them for your book.

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Fonseca, Silvina
Sent: Tuesday, September 04, 2018 1:22 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Briefing materials for tomorrow's meeting with Acting Administrator Wheeler

Good afternoon,

Attached are the briefing materials for tomorrow's meeting with Acting Administrator Wheeler regarding the following sites:
Shaffer/Arbuckle (Minden) - Region 3; Ex. 5 Deliberative Process (DP)
BF Goodrich - Region 4; Ex. 5 Deliberative Process (DP)
American Cyanamid – Region 2; Ex. 5 Deliberative Process (DP)
Berry's Creek – Region 2; F Ex. 5 Deliberative Process (DP)

Agenda for the meeting is also attached.

Please note that Peter Wright is recused from Berry's Creek therefore the materials are not attached to this email.

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

January 30, 2019

The Honorable John Barrasso
Chairman
Committee on Environment and
Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Peter C. Wright, who has been nominated by President Trump for the position of Assistant Administrator, Office of Land and Emergency Management, Environmental Protection Agency.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

DAVID APOL

Digitally signed by DAVID APOL
Date: 2019.01.30 10:59:44 -05'00'

David J. Apol
General Counsel

Enclosures

AMERICAN OVERSIGHT
EPA-19-1060-A-000123
ED_002965A_00008188-00001

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 12/20/2018 12:42:37 AM
To: Wright, Peter [wright.peter@epa.gov]

Are you recused from the Port of Portland superfund site?

Ryan Jackson
Chief of Staff
U.S. EPA
202-564-6999

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 9/27/2018 12:57:49 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: Re: Wheeler meeting with Alliance to Restore our Waterways (AROW) (Rich Gold)

Should I attend?

Sent from my iPhone

On Sep 27, 2018, at 8:02 AM, Wright, Peter <wright.peter@epa.gov> wrote:

> All:
>
> I will not be attending this meeting due to the fact I still own Dow stock as I have not yet received my letter of divestment. I will be interested to hear what the group has to propose.
>
> Peter
>
> **From:** Darwin, Veronica
> **Sent:** Wednesday, September 26, 2018 6:15 PM
> **To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>
> **Cc:** Wright, Peter <wright.peter@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
> **Subject:** Re: Wheeler meeting with Alliance to Restore our Waterways (AROW) (Rich Gold)
>
> I will attend.
>
> Sent from my iPhone
>
> On Sep 26, 2018, at 6:04 PM, Fonseca, Silvina <Fonseca.Silvina@epa.gov> wrote:
>
> > I think Veronica is attending.
> > Be happy to attend as well if needed.
> > I did provide some info to Acting Administrator regarding some specific sites that Jim Woolford had provided. It is just for informational purposes. However I did not share with you Peter because of the site specific information and your recusals. I did share with Veronica and provided it to Nick H.
> > According to Steven, there is no specific ask for this meeting.
> >
> > Silvina
> >
> > Sent from my iPhone
> >
> > On Sep 26, 2018, at 5:56 PM, Wright, Peter <wright.peter@epa.gov> wrote:
> >
> > > Nick
> > >
> > > I have not heard back from Justina. I think there are enough non-Dow folks attending to avoid the recusal. Barry will be attending. It is from 2 to 2:30 tomorrow afternoon in the Alms Room.

AMERICAN OVERSIGHT

Peter

From: Falvo, Nicholas
Sent: Wednesday, September 26, 2018 5:54 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Subject: Re: Wheeler meeting with Alliance to Restore our Waterways (AROW) (Rich Gold)

Peter,
Was your recusal issue resolved? With Steven in St Louis, should Silvina, Veronica and myself make plans to attend the meeting? And if so, I know at least Silvina and myself would need the calendar invite - not sure about Veronica.

Sent from my iPhone

On Sep 25, 2018, at 8:27 AM, Wright, Peter <wright.peter@epa.gov> wrote:

> All:
>
> I will have to inquire with Justina about whether I can participate in this meeting. I believe that Dow was one of the members of this group, but I do not know who all of the members are.
>
> Peter
>
> ---
>
> **From:** Cook, Steven
> **Sent:** Tuesday, September 25, 2018 8:10 AM
> **To:** Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>
> **Cc:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
> **Subject:** Wheeler meeting with Alliance to Restore our Waterways (AROW) (Rich Gold)
>
> I heard today from one of the AROW members that the meeting with AAW is a high level discussion about approaches to the river sites and has no specific ask. They held a similar meeting last year with Pruitt. I will be in St. Louis and not participating.
>
> Steven Cook
> Deputy Assistant Administrator
> Office of Land and Emergency Management

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

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

JUL 30 2019

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Updated Recusal Statement

FROM: Peter Wright
Assistant Administrator

TO: Andrew R. Wheeler
Administrator

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations. This recusal statement supersedes my July 24, 2018 recusal statement for my prior position as Senior Advisor.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any significant financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

AMERICAN OVERSIGHT

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are **Dow Inc.; DuPont de Nemours, Inc. (DuPont); Corteva[1]; the National Association of Wabash Men; and the Lambda Chi Alpha Home Association of Wabash College.**

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[2]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
Dow Inc.	July 8, 2020
DuPont	July 8, 2020
Corteva, Inc.[3]	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first

[1] In 2019, DowDuPont separated into three independent companies: Dow, DuPont and Corteva. Although the creation of Corteva occurred after I left the company, I am nevertheless including it on my recusal list to avoid even the appearance of an ethics issue while I am the Assistant Administrator for OLEM.

[2] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

[3] Although OGC/Ethics does not anticipate that this company is likely to present any issues in OLEM, I am including it out of an abundance of caution.

AMERICAN OVERSIGHT

obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in any matters related to any Superfund sites at which my former employers are a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites involving my former employers that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in particular matters addressed in this recusal statement, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to the Designated Agency Ethics Official and the Alternate Designated Agency Ethics Official.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
David Cozad, Acting Designated Agency Ethics Official
Justina Fugh, Alternate Designated Agency Ethics Official

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

August 28, 2018

The Honorable Thomas R. Carper
513 Hart Senate Office Building
Washington, DC 20510

Dear Senator Carper:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

I have consulted and met with career ethics officials to ensure that I fully understand my ethical obligations. As required by 5 C.F.R. § 2634.304, I have already completed my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my current situation.

I meet regularly with the Principal Deputy Assistant Administrator who is the Acting Assistant Administrator of OLEM. Neither the Acting Administrator, nor the Acting Assistant Administrator of OLEM or anyone else has formally delegated any duties to me.

I am enclosing a copy of my signed ethics agreement, my Trump ethics pledge and recusal statement that makes clear that I am not permitted to work on any Superfund sites at which DowDuPont is a party or represents a party. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. My EPA email address is wright.peter@epa.gov, and that is the only EPA email address that I have. I have been and will continue to communicate regarding work-related matters using my EPA email exclusively I do not expect to use any different email addresses, but if I do, I will provide such other address to you.

AMERICAN OVERSIGHT

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

August 28, 2018

The Honorable Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Markey:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

I have consulted and met with career ethics officials to ensure that I fully understand my ethical obligations. As required by 5 C.F.R. § 2634.304, I have already completed my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my current situation.

I meet regularly with the Principal Deputy Assistant Administrator who is the Acting Assistant Administrator of OLEM. Neither the Acting Administrator, nor the Acting Assistant Administrator of OLEM or anyone else has formally delegated any duties to me.

I am enclosing a copy of my signed ethics agreement, my Trump ethics pledge and recusal statement that makes clear that I am not permitted to work on any Superfund sites at which DowDuPont is a party or represents a party. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. My EPA email address is wright.peter@epa.gov, and that is the only EPA email address that I have. I have been and will continue to communicate regarding work-related matters using my EPA email exclusively I do not expect to use any different email addresses, but if I do, I will provide such other address to you.

AMERICAN OVERSIGHT

ED_002965A_00008280-00001

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

August 28, 2018

The Honorable Bernard Sanders
332 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Sanders:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

I have consulted and met with career ethics officials to ensure that I fully understand my ethical obligations. As required by 5 C.F.R. § 2634.304, I have already completed my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my current situation.

I meet regularly with the Principal Deputy Assistant Administrator who is the Acting Assistant Administrator of OLEM. Neither the Acting Administrator, nor the Acting Assistant Administrator of OLEM or anyone else has formally delegated any duties to me.

I am enclosing a copy of my signed ethics agreement, my Trump ethics pledge and recusal statement that makes clear that I am not permitted to work on any Superfund sites at which DowDuPont is a party or represents a party. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. My EPA email address is wright.peter@epa.gov, and that is the only EPA email address that I have. I have been and will continue to communicate regarding work-related matters using my EPA email exclusively I do not expect to use any different email addresses, but if I do, I will provide such other address to you.

AMERICAN OVERSIGHT

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

August 28, 2018

The Honorable Sheldon Whitehouse
530 Hart Senate Office Building
Washington, DC 20510

Dear Senator Whitehouse:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

I have consulted and met with career ethics officials to ensure that I fully understand my ethical obligations. As required by 5 C.F.R. § 2634.304, I have already completed my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my current situation.

I meet regularly with the Principal Deputy Assistant Administrator who is the Acting Assistant Administrator of OLEM. Neither the Acting Administrator, nor the Acting Assistant Administrator of OLEM or anyone else has formally delegated any duties to me.

I am enclosing a copy of my signed ethics agreement, my Trump ethics pledge and recusal statement that makes clear that I am not permitted to work on any Superfund sites at which DowDuPont is a party or represents a party. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. My EPA email address is wright.peter@epa.gov, and that is the only EPA email address that I have. I have been and will continue to communicate regarding work-related matters using my EPA email exclusively I do not expect to use any different email addresses, but if I do, I will provide such other address to you.

AMERICAN OVERSIGHT

ED_002965A_00008282-00001

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

MAR - 7 2018

Mr. Kevin S. Minoli
Designated Agency Ethics Official
U.S. EPA (2310A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Mr. Minoli:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management of the United States Environmental Protection Agency.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my position with The Dow Chemical Company, a wholly owned subsidiary of DowDuPont, Inc. Within 90 days following my resignation, I will receive a severance payment from DowDuPont, Inc. The amount of the severance payment will be fixed as of the date of my termination with the company and the payment will be determined by an objective method in accordance with the company's standard policy for such payments. Following my resignation, I will receive a bonus for calendar year 2017, as is the corporation's practice. The Dow Chemical Company will use an objective formula to calculate this bonus. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of The Dow Chemical Company or DowDuPont, Inc. to provide these payments, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

I own shares of DowDuPont, Inc. and I hold vested deferred shares and vested performance shares in DowDuPont, Inc. I do not hold stock options, restricted stock, or restricted stock units. Pursuant to company policy, DowDuPont, Inc. will accelerate the issue date of DowDuPont stock in connection with my deferred and performance shares and will release the stock to me within 30 days of my separation. Within 90 days of my confirmation, I will divest all of my stock in DowDuPont, Inc., to include any stock resulting from settlement of my deferred and performance shares. Until I have divested all of these financial interests, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and

AMERICAN OVERSIGHT

predictable effect on the financial interests of The Dow Chemical Company or DowDuPont, Inc. or its subsidiaries unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets.

I will continue to participate in The Dow Chemical Company defined benefit pension plan, but will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of The Dow Chemical Company or DowDuPont, Inc. to provide this contractual benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). In addition, I will not participate personally and substantially in any particular matter involving specific parties in which I know The Dow Chemical Company or DowDuPont, Inc. or any of its subsidiaries is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Upon confirmation, I will resign from my positions with the National Association of Wabash Men and the Lambda Chi Alpha Home Association of Wabash College. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Assistant Administrator in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

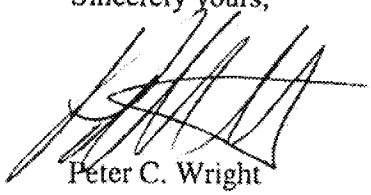
I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5

AMERICAN OVERSIGHT

U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely yours,



Peter C. Wright

AMERICAN OVERSIGHT

ETHICS PLEDGE

As a condition, and in consideration, of my employment in the United States Government in an appointee position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

1. I will not, within 5 years after the termination of my employment as an appointee in any executive agency in which I am appointed to serve, engage in lobbying activities with respect to that agency.

2. If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, I agree that I will abide by those restrictions.

3. In addition to abiding by the limitations of paragraphs 1 and 2, I also agree, upon leaving Government service, not to engage in lobbying activities with respect to any covered executive branch official or non-career Senior Executive Service appointee for the remainder of the Administration.

4. I will not, at any time after the termination of my employment in the United States Government, engage in any activity on behalf of any foreign government or foreign political party which, were it undertaken on January 20, 2017, would require me to register under the Foreign Agents Registration Act of 1938, as amended.

5. I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

6. I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.

7. If I was a registered lobbyist within the 2 years before the date of my appointment, in addition to abiding by the limitations of paragraph 6, I will not for a period of 2 years after the date of my appointment participate in any particular matter on which I lobbied within the 2 years before the date of my appointment or participate in the specific issue area in which that particular matter falls.

8. I agree that any hiring or other employment decisions I make will be based on the candidate's qualifications, competence, and experience.

9. I acknowledge that the Executive Order entitled "Ethics Commitments by Executive Branch Appointees," issued by the President on January 28, 2017, which I have read before signing this document, defines certain terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that Executive Order as a part of this agreement and as binding on me. I understand that the obligations of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Government service.

Signature

July 10, 2018
Date

Wrisley, Peter C
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

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understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

AMERICAN OVERSIGHT

personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

[DATE \@ "MMMM d, yyyy"]

The Honorable Thomas R. Carper
513 Hart Senate Office Building
Washington, DC 20510

Dear Senator Carper:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

I have consulted and met with career ethics officials to ensure that I fully understand my ethical obligations. As required by 5 C.F.R. § 2634.304, I have already completed my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my current situation.

I meet regularly with the Principal Deputy Assistant Administrator who is the Acting Assistant Administrator of OLEM. Neither the Acting Administrator, nor the Acting Assistant Administrator of OLEM or anyone else has formally delegated any duties to me.

I am enclosing a copy of my signed ethics agreement, my Trump ethics pledge and recusal statement that makes clear that I am not permitted to work on any Superfund sites at which DowDuPont is a party or represents a party. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. My EPA email address is [HYPERLINK "mailto:wright.peter@epa.gov"], and that is the only EPA email address that I have. I have been and will continue to communicate regarding work-related matters using my EPA email exclusively I do not expect to use any different email addresses, but if I do, I will provide such other address to you.

AMERICAN OVERSIGHT

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

[DATE \@ "MMMM d, yyyy"]

The Honorable Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Markey:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

I have consulted and met with career ethics officials to ensure that I fully understand my ethical obligations. As required by 5 C.F.R. § 2634.304, I have already completed my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my current situation.

I meet regularly with the Principal Deputy Assistant Administrator who is the Acting Assistant Administrator of OLEM. Neither the Acting Administrator, nor the Acting Assistant Administrator of OLEM or anyone else has formally delegated any duties to me.

I am enclosing a copy of my signed ethics agreement, my Trump ethics pledge and recusal statement that makes clear that I am not permitted to work on any Superfund sites at which DowDuPont is a party or represents a party. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. My EPA email address is [HYPERLINK "mailto:wright.peter@epa.gov"], and that is the only EPA email address that I have. I have been and will continue to communicate regarding work-related matters using my EPA email exclusively I do not expect to use any different email addresses, but if I do, I will provide such other address to you.

AMERICAN OVERSIGHT

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

[DATE \@ "MMMM d, yyyy"]

The Honorable Bernard Sanders
332 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Sanders:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

I have consulted and met with career ethics officials to ensure that I fully understand my ethical obligations. As required by 5 C.F.R. § 2634.304, I have already completed my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my current situation.

I meet regularly with the Principal Deputy Assistant Administrator who is the Acting Assistant Administrator of OLEM. Neither the Acting Administrator, nor the Acting Assistant Administrator of OLEM or anyone else has formally delegated any duties to me.

I am enclosing a copy of my signed ethics agreement, my Trump ethics pledge and recusal statement that makes clear that I am not permitted to work on any Superfund sites at which DowDuPont is a party or represents a party. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. My EPA email address is [HYPERLINK "mailto:wright.peter@epa.gov"], and that is the only EPA email address that I have. I have been and will continue to communicate regarding work-related matters using my EPA email exclusively I do not expect to use any different email addresses, but if I do, I will provide such other address to you.

AMERICAN OVERSIGHT

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

[DATE \@ "MMMM d, yyyy"]

The Honorable Sheldon Whitehouse
530 Hart Senate Office Building
Washington, DC 20510

Dear Senator Whitehouse:

Thank you for your letter dated July 23, 2018. As you know, I joined the Environmental Protection Agency (EPA) on July 9, 2018, as a Special Counsel to the Acting Administrator while I await confirmation for the position of Assistant Administrator for the Office of Land and Emergency Management (OLEM).

Please be assured that I am very sensitive to the prerogatives of the Senate and the requirements of the Federal Vacancies Reform Act. My position is a Non-Career Senior Executive Service Limited Term position, and I do not serve as the Acting Assistant Administrator. My position is not supervisory, and I do not have any delegated authority. I am not occupying the physical office of the Assistant Administrator for Land and Emergency Management, and am not carrying out the functions or authorities of any assistant administrator.

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AMERICAN OVERSIGHT

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I look forward to working with you and your staff on any issues that may arise.

Sincerely,

Peter Wright
Senior Counsel to the Acting Administrator

Enclosures

AMERICAN OVERSIGHT

Message

From: Darwin, Veronica [darwin.veronica@epa.gov]
Sent: 2/27/2019 5:20:05 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: AEL update
Attachments: AEL 2.27.2019 Peter Not Recused Internal.docx

Please find attached the AEL table (internal version) updated based on feedback received from the regions. The first five columns of the table will become the public facing AEL update. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) I will schedule a meeting to discuss the site updates and next steps. Please let me know if you have any questions. Thank you.

Veronica

AMERICAN OVERSIGHT

MAR - 7 2018

Mr. Kevin S. Minoli
Designated Agency Ethics Official
U.S. EPA (2310A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Mr. Minoli:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management of the United States Environmental Protection Agency.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my position with The Dow Chemical Company, a wholly owned subsidiary of DowDuPont, Inc. Within 90 days following my resignation, I will receive a severance payment from DowDuPont, Inc. The amount of the severance payment will be fixed as of the date of my termination with the company and the payment will be determined by an objective method in accordance with the company's standard policy for such payments. Following my resignation, I will receive a bonus for calendar year 2017, as is the corporation's practice. The Dow Chemical Company will use an objective formula to calculate this bonus. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of The Dow Chemical Company or DowDuPont, Inc. to provide these payments, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

I own shares of DowDuPont, Inc. and I hold vested deferred shares and vested performance shares in DowDuPont, Inc. I do not hold stock options, restricted stock, or restricted stock units. Pursuant to company policy, DowDuPont, Inc. will accelerate the issue date of DowDuPont stock in connection with my deferred and performance shares and will release the stock to me within 30 days of my separation. Within 90 days of my confirmation, I will divest all of my stock in DowDuPont, Inc., to include any stock resulting from settlement of my deferred and performance shares. Until I have divested all of these financial interests, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and

AMERICAN OVERSIGHT

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predictable effect on the financial interests of The Dow Chemical Company or DowDuPont, Inc. or its subsidiaries unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets.

I will continue to participate in The Dow Chemical Company defined benefit pension plan, but will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of The Dow Chemical Company or DowDuPont, Inc. to provide this contractual benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). In addition, I will not participate personally and substantially in any particular matter involving specific parties in which I know The Dow Chemical Company or DowDuPont, Inc. or any of its subsidiaries is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Upon confirmation, I will resign from my positions with the National Association of Wabash Men and the Lambda Chi Alpha Home Association of Wabash College. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Assistant Administrator in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

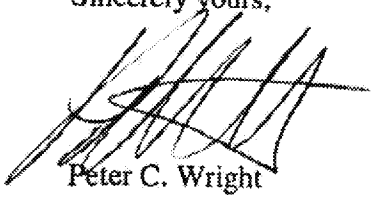
I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5

AMERICAN OVERSIGHT

U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely yours,



Peter C. Wright

AMERICAN OVERSIGHT

Ms. Justina Fugh
Alternate Designated Agency Ethics Official
U.S. EPA (2311A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Ms. Fugh:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management of the United States Environmental Protection Agency.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I resigned from my position with The Dow Chemical Company, a wholly owned subsidiary of DowDuPont, Inc., in June 2018. I hold no equity interests in The Dow Chemical Company or DowDuPont, Inc. or any of its subsidiaries. I will continue to participate in The Dow Chemical Company defined benefit pension plan, but will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of The Dow Chemical Company or DowDuPont, Inc. to provide this contractual benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). In addition, I will not participate personally and substantially in any particular matter involving specific parties in which I know The Dow Chemical Company or DowDuPont, Inc. or any of its subsidiaries is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I resigned from my positions with the National Association of Wabash Men in May 2018, and the Lambda Chi Alpha Home Association of Wabash College in June 2018. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional

AMERICAN OVERSIGHT

obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Assistant Administrator in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I must continue to abide by the Ethics Pledge (Exec. Order No. 13770) that I previously signed and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely yours,

Peter C. Wright

AMERICAN OVERSIGHT

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 1/28/2019 5:06:23 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: RE: Signed Ethics Agreement

Thanks! I've let OGE know that we're good to go, so hopefully they will release your 278e for you to sign soon.
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Wright, Peter
Sent: Sunday, January 27, 2019 5:38 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Fwd: Signed Ethics Agreement

Justina

Here is the signed agreement.

Peter

Sent from my iPad

Begin forwarded message:

> **From:** Peter Wright <midland9@gmail.com>
> **Date:** January 27, 2019 at 5:27:52 PM EST
> **To:** Peter Wright <wright.peter@epa.gov>
> **Subject: Signed Ethics Agreement**

AMERICAN OVERSIGHT

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 8/8/2019 6:36:38 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: RE: 2019 ELI Award Dinner
Attachments: Ethics advice concerning your invitation to the ELI dinner

Hi there,

I cleared your attendance at the ELI dinner already, on 7/10/19. See attached.

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Wright, Peter
Sent: Thursday, August 08, 2019 1:42 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: 2019 ELI Award Dinner

Justina

Please see the invitation below for the annual ELI dinner. I expect you have or will receive a number of these.

Please advise whether I can accept the invitation.

Thank you.

Peter

From: Olivia Smith <osmith@eli.org>
Sent: Wednesday, July 31, 2019 12:44 PM
To: Wright, Peter <wright.peter@epa.gov>
Subject: 2019 ELI Award Dinner

July 31, 2019

Mr. Peter Wright

AMERICAN OVERSIGHT

U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Mr. Wright,

This is a non-transferable complimentary invitation to the Environmental Law Institute's 2019 Award Dinner honoring Rose Marcario, CEO of Patagonia on behalf of the company and its founder, Yvon Chouinard. The Dinner will be held on Tuesday, October 22, 2019, at the Omni Shoreham Hotel in Washington, D.C. Registration will begin at 5:00 p.m., with a pre-dinner reception beginning at 5:30 p.m., and dinner to follow at 7:30 p.m.

Attendance at ELI's Award Dinner has not been prohibited in the past by ethical guidance from United States government departments; however, please consult as appropriate within your agency prior to accepting this invitation. Should ethics rules or conflict of interest policies require you to pay, you may send a check (payable to the Environmental Law Institute) to 1730 M Street, NW, Suite 700, Washington, D.C. 20036 in the amount of $200 to cover the actual value of the discounted government/academic/nonprofit rate ticket.

We hope you'll be able to join us for Washington's premier annual event for environmental professionals from around the country. Please RSVP as soon as possible to Samantha or Olivia at alvey@eli.org or osmith@eli.org or 202-939-3253 regarding your availability to attend the Award Dinner.

Sincerely,

Melodie DeMulling
Vice President of Membership & Development

AMERICAN OVERSIGHT

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 7/10/2019 4:50:52 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Goldman, Lisa [Goldman.Lisa@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Ross, David P [ross.davidp@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Sheehan, Charles [Sheehan.Charles@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Stein, Kathie [Stein.Kathie@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Wright, Peter [wright.peter@epa.gov]
Subject: Ethics advice concerning your invitation to the ELI dinner

Hi there,
OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 22, 2019 at the Omni Shoreham Hotel in Washington, DC. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch.

This event qualifies for the Widely-Attended-Gathering gift exception and the donor is not a federally registered lobbyist. Thus, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form because the gift is valued at $200, which is BELOW the reporting threshold.

This approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable and is not intended for more than just one attendee.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)
The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event
Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.
Regards,
Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

AMERICAN OVERSIGHT

I resigned from my positions with the National Association of Wabash Men in May 2018, and the Lambda Chi Alpha Home Association of Wabash College in June 2018. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

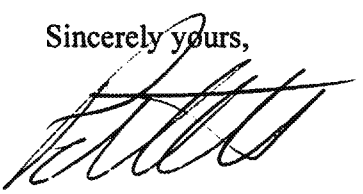
If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Assistant Administrator in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I must continue to abide by the Ethics Pledge (Exec. Order No. 13770) that I previously signed and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely yours,



Peter C. Wright

AMERICAN OVERSIGHT

Ms. Justina Fugh
Alternate Designated Agency Ethics Official
U.S. EPA (2311A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Ms. Fugh:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management of the United States Environmental Protection Agency.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I resigned from my position with The Dow Chemical Company, a wholly owned subsidiary of DowDuPont, Inc., in June 2018. I hold no equity interests in The Dow Chemical Company or DowDuPont, Inc. or any of its subsidiaries. I will continue to participate in The Dow Chemical Company defined benefit pension plan, but will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of The Dow Chemical Company or DowDuPont, Inc. to provide this contractual benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). In addition, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know The Dow Chemical Company or DowDuPont, Inc. or any of its subsidiaries is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

AMERICAN OVERSIGHT

Ms. Justina Fugh
Alternate Designated Agency Ethics Official
U.S. EPA (2311A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Ms. Fugh:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management of the United States Environmental Protection Agency.

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AMERICAN OVERSIGHT

I resigned from my positions with the National Association of Wabash Men in May 2018, and the Lambda Chi Alpha Home Association of Wabash College in June 2018. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Assistant Administrator in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I must continue to abide by the Ethics Pledge (Exec. Order No. 13770) that I previously signed and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely yours,

Peter C. Wright

AMERICAN OVERSIGHT

Message

From: Frye, Tony (Robert) [frye.robert@epa.gov]
Sent: 7/5/2019 6:24:16 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]
CC: Voyles, Travis [Voyles.Travis@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]; Edwards, John (Holt) [edwards.john@epa.gov]
Subject: FW: Senator Collins Letter to Peter Wright
Attachments: 2019.07.05 - FINAL - Peter Wright Response to Senator Collins re Nomination.pdf; 2019.07.05 - Peter Wright Recusal 07 24 2018.pdf; 2019.07.05 - Wright Ethics Plege Senate Letter Enclosure re-Nominations Letter 07.23.2018.pdf

For your awareness. Thank you all

Tony Frye
Director of Senate Affairs
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

From: Frye, Tony (Robert)
Sent: Friday, July 5, 2019 2:22 PM
To: 'McMurry, Kayla (Collins)' <Kayla_McMurry@collins.senate.gov>
Cc: Brazauskas, Joseph <brazauskas.joseph@epa.gov>
Subject: RE: Senator Collins Letter to Peter Wright

Hello Kayla – I hope you had a great Independence Day. Attached, please find a response from Peter Wright to Senator Collins regarding his nomination and questions posed in her letter. Please don't hesitate to let us know if you have any further questions or thoughts. Have a great day!

Best,
Tony

Tony Frye
Director of Senate Affairs
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

From: McMurry, Kayla (Collins) <Kayla_McMurry@collins.senate.gov>
Sent: Wednesday, July 3, 2019 10:37 AM
To: Frye, Tony (Robert) <frye.robert@epa.gov>
Subject: Senator Collins Letter to Peter Wright

Good morning Tony,

Attached is a letter from Sen. Collins to Peter Wright about his nomination. Please let me know if you have questions or if I need to send this to someone else. My direct line is 202-224-8323.

And happy 4th of July!

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Best,
Kayla

Kayla McMurry
Legislative Assistant
Office of U.S. Senator Susan Collins
413 Dirksen Senate Office Building
202.224.2523

AMERICAN OVERSIGHT

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

July 5, 2019

The Honorable Susan M. Collins
413 Dirksen Senate Office Building
Washington, DC 20510

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

Dear Senator Collins,

Thank you for your letter providing me the opportunity to discuss the recusal process at EPA and the very popular and important Brownfields program.

Well before the President announced my nomination as EPA's Assistant Administrator for Solid Waste (now named Land and Emergency Management), EPA leadership contacted me about my interest in serving in the position and began a rigorous vetting process, which included questions about my qualifications, work history, and education, among other inquiries to ensure the nomination would be appropriate for the Agency and for me. Part of that process involved the early introduction to and evaluation by career ethics attorneys at the Agency to determine if there were potential matters before the Agency I may oversee that would be, appear to be, or have the potential of being a conflict of interest.

During that process, I consulted and met with career ethics officials to ensure that I fully understood my ethical obligations. Through that process, EPA leadership and career ethics officials were able to determine any and the extent of my recusals due to my previous work history leading to my nomination. Subsequently, I reviewed and signed a recusal statement drafted by EPA's career ethics attorneys and have taken those recusals very seriously. I diligently continue to ensure my actions are consistent with that statement. I have also ensured compliance with Agency ethics training, as required by 5 C.F.R. § 2634.304, which was completed during my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my employment. I am enclosing a copy of my signed recusal statement and Trump Administration Ethics Pledge. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. I commit to continuing to follow the guidance of EPA career ethics officials with respect to recusals as well as following the ethical obligations that apply to me as a member of the Michigan bar.

Thank you for the opportunity to discuss the Brownfields program as well. It is a popular and important program because it works to bring public and private sector investment into remediating and providing the opportunity for redevelopment and new economic opportunity for contaminated properties. I am a strong supporter of the Brownfields program and commit to you

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to continue to support this important program. EPA has a prioritized focus on remediating contaminated properties in our communities through the Brownfields program and other remedial programs. The Agency's cleanup programs provide one of the most tangible ways communities can see EPA at work, accomplishing its mission to protect human health and the environment. I am eager to have the opportunity to lead that work.

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I will confirm the trust that you and your colleagues in the U.S. Senate would place in me. I would look forward to working with you and your staff on any issues that may arise within my office to ensure the Agency is responsive and helpful to you, your staff, and the State of Maine.

Sincerely,

Peter C. Wright
Senior Counsel to the Administrator

Enclosures

AMERICAN OVERSIGHT

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

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

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ED_002965A_00008825-00001

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

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personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

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ETHICS PLEDGE

As a condition, and in consideration, of my employment in the United States Government in an appointee position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

1. I will not, within 5 years after the termination of my employment as an appointee in any executive agency in which I am appointed to serve, engage in lobbying activities with respect to that agency.

2. If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, I agree that I will abide by those restrictions.

3. In addition to abiding by the limitations of paragraphs 1 and 2, I also agree, upon leaving Government service, not to engage in lobbying activities with respect to any covered executive branch official or non-career Senior Executive Service appointee for the remainder of the Administration.

4. I will not, at any time after the termination of my employment in the United States Government, engage in any activity on behalf of any foreign government or foreign political party which, were it undertaken on January 20, 2017, would require me to register under the Foreign Agents Registration Act of 1938, as amended.

5. I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

6. I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.

7. If I was a registered lobbyist within the 2 years before the date of my appointment, in addition to abiding by the limitations of paragraph 6, I will not for a period of 2 years after the date of my appointment participate in any particular matter on which I lobbied within the 2 years before the date of my appointment or participate in the specific issue area in which that particular matter falls.

8. I agree that any hiring or other employment decisions I make will be based on the candidate's qualifications, competence, and experience.

9. I acknowledge that the Executive Order entitled "Ethics Commitments by Executive Branch Appointees," issued by the President on January 28, 2017, which I have read before signing this document, defines certain terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that Executive Order as a part of this agreement and as binding on me. I understand that the obligations of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Government service.

Signature

July 10, 2018
Date

Wrisley, Peter C
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 7/5/2019 2:27:21 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Hoverman, Taylor [hoverman.taylor@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]; Voyles, Travis [Voyles.Travis@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]; Edwards, John (Holt) [edwards.john@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Subject: Re: Senator Collins Letter to Peter Wright

Perfect. No rush. We'll have it ready for you.

Ryan Jackson
Chief of Staff
U.S. EPA
202-564-6999

On Jul 5, 2019, at 10:25 AM, Wright, Peter <wright.peter@epa.gov> wrote:

> Ryan and Taylor
>
> I was planning on coming in sometime after lunch and I can be flexible on the timing.
>
> I will be glad to take a last look at the letter, but I do not expect to have any edits beyond the ones Taylor mentioned. I think that the two enclosures are fine.
>
> Peter
>
> Sent from my iPad
>
> On Jul 5, 2019, at 10:06 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:
>
> > I have a copy like that. What's his timing? We were talking about what enclosures would be most relevant and think just two to limit any confusion. We'll change it to reflect that too.
>
> Ryan Jackson
> Chief of Staff
> U.S. EPA

AMERICAN OVERSIGHT

202-564-6999

On Jul 5, 2019, at 9:34 AM, Hoverman, Taylor <hoverman.taylor@epa.gov> wrote:

> Good morning all,
>
> Sounds like I should accept all edits but reject the inclusion of the two paragraphs on the role of OLEM? Or do we want to retain some of that?
>
> Peter – Will you have additional edits? I'd like to have this ready for you to sign when you come in today if there aren't further revisions.
>
> Taylor Hoverman
> Policy Counsel to the Assistant Administrator
> Office of Land and Emergency Management
> U.S. Environmental Protection Agency
> O: 202-566-2705
> C: 202-494-3662
>
> ---
>
> **From:** Jackson, Ryan
> **Sent:** Wednesday, July 3, 2019 3:57 PM
> **To:** Frye, Tony (Robert) <frye.robert@epa.gov>; Wright, Peter <wright.peter@epa.gov>
> **Cc:** Hoverman, Taylor <hoverman.taylor@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
> **Subject:** RE: Senator Collins Letter to Peter Wright
>
> I appreciate the enthusiasm but this gets a little off course.
>
> ---
>
> **From:** Frye, Tony (Robert)
> **Sent:** Wednesday, July 3, 2019 2:55 PM
> **To:** Jackson, Ryan <jackson.ryan@epa.gov>; Wright, Peter <wright.peter@epa.gov>
> **Cc:** Hoverman, Taylor <hoverman.taylor@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
> **Subject:** RE: Senator Collins Letter to Peter Wright
>
> Suggested additions re: role of OLEM in attached
>
> **Tony Frye**
> Director of Senate Affairs
> Office of Congressional Affairs

AMERICAN OVERSIGHT

Environmental Protection Agency
Cell: 202.603.3225

From: Jackson, Ryan
Sent: Wednesday, July 3, 2019 2:02 PM
To: Wright, Peter <wright.peter@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Subject: RE: Senator Collins Letter to Peter Wright

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Thanks.

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Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Subject: RE: Senator Collins Letter to Peter Wright

Ryan and Tony

The text of the letter captured the edits. I typically use my middle initial "C". Finally, the word "Acting" should be dropped in front of the "Administrator" (unless for some reason my title was frozen at the time I started).

I will be glad to come in on Friday and sign the letter.

I really appreciate all of the support.

Peter

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Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph

AMERICAN OVERSIGHT

<brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Subject: RE: Senator Collins Letter to Peter Wright

Did we capture the edits in the attached?

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I have a couple of edits on top of the edits Tony sent. The Senator's letter requested a commitment about continuing to follow ethics official guidance and so I included a statement about the commitment (I also added a reference to my legal ethical obligations). I also proposed a couple of other edits.

Thank you.

Peter

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Subject: RE: Senator Collins Letter to Peter Wright

Draft edits

Tony Frye
Director of Senate Affairs
Office of Congressional Affairs

AMERICAN OVERSIGHT

Environmental Protection Agency
Cell: 202.603.3225

From: Jackson, Ryan
Sent: Wednesday, July 3, 2019 12:39 PM
To: Frye, Tony (Robert) <frye.robert@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Subject: RE: Senator Collins Letter to Peter Wright

This is just a first draft. What do you think? Please edit.

Ryan.

From: Frye, Tony (Robert)
Sent: Wednesday, July 3, 2019 11:00 AM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Subject: FW: Senator Collins Letter to Peter Wright
Importance: High

Hello Peter and company – Below and attached is an incoming letter from Senator Collins regarding Peter's ethics obligation and questions regarding the Brownfields Program. She would like to have a response prior to Peter's nomination being considered on the Floor, which could be as early as Wednesday.

To help speed things along, I have a word document of a letter responding to similar questions posed by RM Carper along with the his latest recusal documents.

Peter/Taylor – Can you work with your team to develop a response by early next week? If so, is the information provided enough to help or would you like to arrange some sort of meeting to discuss responsibilities?

Thank you all for your assistance and please don't hesitate to let me know if you have any questions.

Best,
Tony

AMERICAN OVERSIGHT

Tony Frye
Director of Senate Affairs
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

From: McMurry, Kayla (Collins) <Kayla_McMurry@collins.senate.gov>
Sent: Wednesday, July 3, 2019 10:37 AM
To: Frye, Tony (Robert) <frye.robert@epa.gov>
Subject: Senator Collins Letter to Peter Wright

Good morning Tony,

Attached is a letter from Sen. Collins to Peter Wright about his nomination. Please let me know if you have questions or if I need to send this to someone else. My direct line is 202-224-8323.

And happy 4th of July!

Best,
Kayla

Kayla McMurry
Legislative Assistant
Office of U.S. Senator Susan Collins
413 Dirksen Senate Office Building
202.224.2523

AMERICAN OVERSIGHT

Message

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Sent: 7/3/2019 7:39:36 PM
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Subject: RE: Senator Collins Letter to Peter Wright
Attachments: 2019.07.03 - Wright Response to Collins re-Nomination Letter SC.docx

Sorry to send another version – we added one more point on Brownfields.

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

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Director of Senate Affairs
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

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Peter/Taylor – Can you work with your team to develop a response by early next week? If so, is the information provided enough to help or would you like to arrange some sort of meeting to discuss responsibilities?

AMERICAN OVERSIGHT

Thank you all for your assistance and please don't hesitate to let me know if you have any questions.

Best,
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Tony Frye
Director of Senate Affairs
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

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Legislative Assistant
Office of U.S. Senator Susan Collins
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AMERICAN OVERSIGHT

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Subject: RE: Senator Collins Letter to Peter Wright
Attachments: 2019.07.03 - Wright Response to Collins re-Nomination Letter_ (003) sdc edits.docx

Steven took a look and made a few changes.

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

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Draft edits

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Sent: Wednesday, July 3, 2019 11:00 AM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Subject: FW: Senator Collins Letter to Peter Wright
Importance: High

Hello Peter and company – Below and attached is an incoming letter from Senator Collins regarding Peter's ethics obligation and questions regarding the Brownfields Program. She would like to have a response prior to Peter's nomination being considered on the Floor, which could be as early as Wednesday.

To help speed things along, I have a word document of a letter responding to similar questions posed by RM Carper along with the his latest recusal documents.

Peter/Taylor – Can you work with your team to develop a response by early next week? If so, is the information provided enough to help or would you like to arrange some sort of meeting to discuss responsibilities?

AMERICAN OVERSIGHT

Thank you all for your assistance and please don't hesitate to let me know if you have any questions.

Best,
Tony

Tony Frye
Director of Senate Affairs
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

From: McMurry, Kayla (Collins) <Kayla_McMurry@collins.senate.gov>
Sent: Wednesday, July 3, 2019 10:37 AM
To: Frye, Tony (Robert) <frye.robert@epa.gov>
Subject: Senator Collins Letter to Peter Wright

Good morning Tony,

Attached is a letter from Sen. Collins to Peter Wright about his nomination. Please let me know if you have questions or if I need to send this to someone else. My direct line is 202-224-8323.

And happy 4th of July!

Best,
Kayla

Kayla McMurry
Legislative Assistant
Office of U.S. Senator Susan Collins
413 Dirksen Senate Office Building
202.224.2523

AMERICAN OVERSIGHT

Message

From: Kenely, Caroline [Kenely.Caroline@epa.gov]
Sent: 7/29/2019 4:41:42 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: Certification of Ethics Agreement Compliance
Attachments: image2019-07-29-125333.pdf

Per your request.

From: DC-WJCW-3146-M@epa.gov <DC-WJCW-3146-M@epa.gov>
Sent: Monday, July 29, 2019 12:54 PM
To: Kenely, Caroline <Kenely.Caroline@epa.gov>
Subject:

AMERICAN OVERSIGHT

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 7/27/2018 9:19:38 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: FW: Follow-up Information from EPA re: Peter Wright

As discussed

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Grantham, Nancy
Sent: Friday, July 27, 2018 5:13 PM
To: Rowan, Anne <rowan.anne@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>; Kaplan, Robert <kaplan.robert@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: Follow-up Information from EPA re: Peter Wright

Hi –

Please see below -- reporter wants to include this additional quote.

Please let me know if ok

Thanks much ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Tabuchi, Hiroko [mailto:hiroko.tabuchi@nytimes.com]
Sent: Friday, July 27, 2018 4:51 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: Re: Follow-up Information from EPA re: Peter Wright

Hi Nancy, I'd like to push to include these quotes. I think it shows an openness to acknowledge the earlier concerns raised by E.P.A., which were ultimately resolved -- thanks partly to Peter Wright's efforts.

"There was a time early on where the relationship between Dow and the EPA for a whole number of reasons was frayed, and became very contentious. The matter itself was very controversial."

"It was EPA's position at the time that the cleanup should proceed more expeditiously, and Dow had been doing an inadequate job."

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"Through it all, I could talk to Peter one on one about positions or issues, and I found him to be professional in all his dealings."

Hiroko Tabuchi | Reporter | The New York Times | Phone 212-556-2642 | hiroko.tabuchi@nytimes.com | http://www.nytimes.com/by/hiroko-tabuchi

On Fri, Jul 27, 2018 at 4:42 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

> Hiroko: Thank you for taking the time to speak with us earlier. Below are quotes from your call with EPA Region 5 career staff as well as some additional on-the-record quotes we would encourage you to use in your article.
>
> Additionally, attached are three important documents for your reference: July 2106 letter from the Michigan DEQ on Midland; February 28 letter from John Milner, Chair of the ABA's Section on Environment, Energy, and Resources, supporting Mr. Wright's nomination; Mr. Wright's recusal statement.
>
> Finally, below the quotes is background material to answer your other questions.
>
> Quotes to use on the record:
>
> **"During Mr. Wright's tenure as Dow's in-house counsel, the company ultimately reached agreement with EPA to use CERCLA/Superfund authority to clean up the rivers and bay. Mr. Wright's work was critical in reaching these agreements with EPA that accelerated work at the site."** – Jeff Kelley, EPA Region 5, Office of External Communications
>
> Leverett Nelson (current Regional Counsel):
>
> **"Peter was notable for his professionalism, candor, cordiality and grace under pressure, and also had a practical sense of what needed to be done in order to successfully conclude the negotiations."**
>
> On Denney allegations:
>
> **"I don't recall a correlation between that event and the course of negotiations."**

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"I don't remember that there was any particular impact on the remedial work at the site. There was other data that was available that was reliable."

"If we had to throw out some samples, it probably had zero impact on our assessment of environmental conditions at the site."

Additional quote from Leveret Nelson: **"EPA Region 5 has been working for many years on Superfund and other hazardous waste cleanups at Dow sites in Michigan, including the Midland plant and the Tittabawassee River. In my experience, the working relationship between EPA's legal team and Dow's legal team headed by Mr. Wright has been a positive one – professional, cordial and largely productive."**

Robert Kaplan (former Regional Counsel) (current Special Policy Advisor)

"Through it all, I could talk to Peter one on one about positions or issues, and I found him to be professional in all his dealings."

"In negotiations especially in high profile matters, sometimes the dynamics of the negotiators matter. What could have been even a more high pressure controversial superheated negotiation came to fruition because of the team dynamics. And that had a lot to do with Peter Wright."

On earlier EPA concerns over Dow actions: **"The record speaks for itself. The EPA took action to take it from state lead to Superfund. And from 2007 or so we decided to take a different path."**

On background from Robert Kaplan: **There is nothing about "lead negotiator." I hope the reporter used what we said about Peter's role. He was not Dow's overall lead. He was their lead LEGAL counsel. That's important in characterizing the role appropriately.**

Background on Dioxin from the EPA Office of Research and Development and Office of Land and Emergency Management:

The study cited in Mr. Wright's 13-year old article was the basis for EPA's health effects study on dioxin. Since then EPA finalized its non-cancer science assessment for dioxin in 2012. The findings showed that generally, over a person's lifetime, current exposure to dioxins does not pose a significant health risk.

AMERICAN OVERSIGHT

Over the past several years EPA has worked to reduce emissions from all of the major industrial sources of dioxins. As a result of efforts by EPA, state governments and industry, known and measurable air emissions of dioxins in the United States have been reduced by 90 percent from 1987 levels. The largest remaining source of dioxin emissions is backyard burning of household trash. Most Americans have low-level exposure to dioxins. The non-cancer health assessment for dioxin could be considered in a range of agency activities, from establishing cleanup levels at Superfund sites, to reviewing the dioxin drinking water standard as part of EPA's regularly scheduled review process, to evaluating whether additional Clean Air Act limits on dioxin emissions are warranted.

Background on Peter Wright:

Peter Wright was born in Connecticut and raised in Los Angeles, CA. Before Dow, he worked as an attorney at Bryan Cave LLP and the Monsanto Company. He began his legal career with the environmental practice group of Baker & Daniels (now Fagre Baker and Daniels).

Background on Peter Wright's work:

The Dow Chemical Company's Midland Plant is a manufacturing facility that began operations in 1897. The facility is located on 1,900 acres abutting the Tittabawassee River. The past disposal of various chemicals at the facility resulted in high levels of dioxins and furans in the Tittabawassee River and downstream in the Saginaw River and Bay, as well as on the facility and in the City of Midland.

Pursuant to a Resource Conservation and Recovery Act (RCRA) permit issued by the Michigan Department of Environmental Quality (MDEQ), Dow had been conducting corrective actions, including extensive facility investigations and interim response activities to address the dioxins and furans at the Midland Plant and off-site. As the MDEQ-supervised RCRA corrective action remedial investigations progressed, EPA and MDEQ recognized that investigations and early actions to protect public health would benefit from federal resources, in addition to MDEQ's RCRA resources. After evaluating the facility, EPA and MDEQ agreed that CERCLA authority could be used to complete off-site cleanup work on the river systems and floodplains, while the RCRA corrective action program focused on off-site corrective action in the City of Midland and on-site corrective action for the Midland Plant site. Splitting the lead agency responsibilities allowed more work to occur concurrently.

Between 2007 and 2009, Dow conducted six time-critical removals under CERCLA authority, with EPA oversight. Mr. Peter Wright was Dow's lead counsel in the negotiation of the six settlements under which these cleanups were performed. EPA, MDEQ, and Dow entered into a settlement in 2010 for Remedial Investigation, Feasibility Study and/or Engineering Evaluation and Cost Analysis, and Response Design work (2010 ASAOC) which has provided the basis for further settlements to conduct non-time critical removal actions in the Tittabawassee River and its floodplain. Mr. Wright was Dow's lead counsel in the negotiation of the 2010 ASAOC. Between 2010 and 2017, EPA and Dow entered into seven separate CERCLA settlements under which Dow performed non-time-critical CERCLA removal actions at the site. Mr. Wright was Dow's lead counsel in the negotiation of the seven settlements under which these

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cleanups were performed. During this same timeframe, off-site cleanup was completed in the City of Midland under the RCRA permit and Mr. Wright was also legal counsel for this work.

More information about the CERCLA cleanup at the Tittabawassee River, Saginaw River & Bay Site is available on EPA's website at https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0503250.

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

AMERICAN OVERSIGHT

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 7/27/2018 9:19:21 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: FW: Follow-up Information from EPA re: Peter Wright
Attachments: deq-owmrp-hws_2016-07-21_Dow_724_MAS_CA_Report_Approval_Letter_CA_539484_7.pdf; Peter_Wright.pdf; Peter Wright.pdf

Importance: High

As discussed

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Grantham, Nancy
Sent: Friday, July 27, 2018 4:42 PM
To: Tabuchi, Hiroko <hiroko.tabuchi@nytimes.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: Follow-up Information from EPA re: Peter Wright
Importance: High

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Additionally, attached are three important documents for your reference: July 2106 letter from the Michigan DEQ on Midland; February 28 letter from John Milner, Chair of the ABA's Section on Environment, Energy, and Resources, supporting Mr. Wright's nomination; Mr. Wright's recusal statement.

Finally, below the quotes is background material to answer your other questions.

Quotes to use on the record:

"During Mr. Wright's tenure as Dow's in-house counsel, the company ultimately reached agreement with EPA to use CERCLA/Superfund authority to clean up the rivers and bay. Mr. Wright's work was critical in reaching these agreements with EPA that accelerated work at the site." – Jeff Kelley, EPA Region 5, Office of External Communications

Leverett Nelson (current Regional Counsel):

"Peter was notable for his professionalism, candor, cordiality and grace under pressure, and also had a practical sense of what needed to be done in order to successfully conclude the negotiations."

On Denney allegations:

"I don't recall a correlation between that event and the course of negotiations."

"I don't remember that there was any particular impact on the remedial work at the site. There was other data that was available that was reliable."

AMERICAN OVERSIGHT

"If we had to throw out some samples, it probably had zero impact on our assessment of environmental conditions at the site."

Additional quote from Leveret Nelson: **"EPA Region 5 has been working for many years on Superfund and other hazardous waste cleanups at Dow sites in Michigan, including the Midland plant and the Tittabawassee River. In my experience, the working relationship between EPA's legal team and Dow's legal team headed by Mr. Wright has been a positive one – professional, cordial and largely productive."**

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AMERICAN OVERSIGHT

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More information about the CERCLA cleanup at the Tittabawassee River, Saginaw River & Bay Site is available on EPA's website at https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0503250.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

AMERICAN OVERSIGHT

Message

From: Brooks, Becky [Brooks.Becky@epa.gov]
Sent: 7/24/2018 8:50:57 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]; Wright, Peter [wright.peter@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Re: Recusal Statement -- Peter Wright

Looping in Peter. Should the site list go to folks for internal reference only or should it also go to James Hewitt in OPA? I think the last version I saw had a June date.

Sent from my iPhone

On Jul 24, 2018, at 4:39 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

> Thanks, and yikes! Are you including the attachment (the spreadsheet of the superfund sites)?
>
> **From:** Brooks, Becky
> **Sent:** Tuesday, July 24, 2018 3:42 PM
> **To:** Fugh, Justina <Fugh.Justina@epa.gov>
> **Cc:** Wright, Peter <wright.peter@epa.gov>
> **Subject:** RE: Recusal Statement -- Peter Wright
>
> Sure. I will email it to them. Thanks, Justina.
>
> *Becky Brooks*
> *Special Assistant*
> *Office of Land and Emergency Management*
> *U.S. Environmental Protection Agency*
> *ph. 202-566-2762*
>
> **From:** Fugh, Justina
> **Sent:** Tuesday, July 24, 2018 3:40 PM
> **To:** Brooks, Becky <Brooks.Becky@epa.gov>
> **Cc:** Wright, Peter <wright.peter@epa.gov>
> **Subject:** RE: Recusal Statement -- Peter Wright
>
> Thanks, Becky. May I ask you to please distribute the recusal to Messrs. Breen and Cook (since they are in OLEM), and I'll do the others? Also, please remember that we will need to Ex. 5 Deliberative Process (DP)
> **Ex. 5 Deliberative Process (DP)**
> **Ex. 5 Deliberative Process (DP)**
> Best,
> Justina
>
> Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

AMERICAN OVERSIGHT

From: Brooks, Becky
Sent: Tuesday, July 24, 2018 2:52 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Cc: Wright, Peter <wright.peter@epa.gov>
Subject: Recusal Statement -- Peter Wright

Please see the attached recusal statement from Peter Wright.

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency

AMERICAN OVERSIGHT

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

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

AMERICAN OVERSIGHT

ED_002965A_00008915-00001

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

AMERICAN OVERSIGHT

personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Message

From: Mosley, Ferne [mosley.ferne@epa.gov]
Sent: 7/22/2019 9:31:15 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: we'll have a document for you to sign as soon as we can

Thank you – we will transmit the paperwork to OGE in the morning.

Have a good evening.

Ferne

Ferne L. Mosley, Attorney-Advisor
Ethics Office – Office of General Counsel
U.S. Environmental Protection Agency
William Jefferson Clinton Building – North, Room 4413A
Washington, DC 20460 (for ground deliveries: 20004)
Mail Code 2311A
Desk phone: (202) 564-8046
Cell phone: (202) 306-2998

From: Wright, Peter
Sent: Monday, July 22, 2019 5:24 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Mosley, Ferne <mosley.ferne@epa.gov>
Subject: RE: we'll have a document for you to sign as soon as we can

Justina and Ferne

Please see attached my updated amendment letter.

Peter

From: Mosley, Ferne
Sent: Monday, July 22, 2019 12:32 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: we'll have a document for you to sign as soon as we can
Importance: High

Hello, sorry to bother you about this again, but OGE is asking for a correction to the letter amending your nominee OGE 278 to reflect that it is Part 2 that Ex. 5 Attorney Client (AC) should appear instead of Part 6. I've attached a new letter with the correct part identified. At your earliest convenience, if you will please place this on your new letterhead, sign, date, and return it to me as a .pdf document, we will send it back to OGE with a cover letter from Justina.

Thank you,
Ferne

Ferne L. Mosley, Attorney-Advisor

AMERICAN OVERSIGHT

Ethics Office – Office of General Counsel
U.S. Environmental Protection Agency
William Jefferson Clinton Building – North, Room 4413A
Washington, DC 20460 (for ground deliveries: 20004)
Mail Code 2311A
Desk phone: (202) 564-8046
Cell phone: (202) 306-2998

From: Wright, Peter
Sent: Wednesday, July 10, 2019 4:22 PM
To: Mosley, Ferne <mosley.ferne@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: we'll have a document for you to sign as soon as we can

Ferne

I just walked back in from the awards ceremony. I will review this right now.

Peter

From: Mosley, Ferne
Sent: Wednesday, July 10, 2019 3:24 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: we'll have a document for you to sign as soon as we can
Importance: High

Hello, OGE asked for clarification on the entry of your report that requires amendment and Justina recommended that I contact you.

Ex. 5 Attorney Client (AC)

I've attached the report for your reference and highlighted the entry in Part 2, item 6 on Page 4 to which I am referring.

Thank you.

Sincerely, Ferne

Ferne L. Mosley, Attorney-Advisor
Ethics Office – Office of General Counsel
U.S. Environmental Protection Agency
William Jefferson Clinton Building – North, Room 4413A
Washington, DC 20460 (for ground deliveries: 20004)
Mail Code 2311A

AMERICAN OVERSIGHT

Desk phone: (202) 564-8046
Cell phone: (202) 306-2998

From: Mosley, Ferne
Sent: Tuesday, July 9, 2019 4:34 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Cozad, David <Cozad.David@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: we'll have a document for you to sign as soon as we can

Thank you for the additional information. I've included the letter for your signature with the information to update your financial disclosure report Ex. 5 Attorney Client (AC) Once you send it back to us, we will include this as an attachment to our letter to the Office of Government Ethics.

Please let me know if you have any questions.

Thank you,
Ferne

Ferne L. Mosley, Attorney-Advisor
Ethics Office – Office of General Counsel
U.S. Environmental Protection Agency
William Jefferson Clinton Building – North, Room 4413A
Washington, DC 20460 (for ground deliveries: 20004)
Mail Code 2311A
Desk phone: (202) 564-8046
Cell phone: (202) 306-2998

From: Wright, Peter
Sent: Tuesday, July 9, 2019 4:12 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Cozad, David <Cozad.David@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Mosley, Ferne <mosley.ferne@epa.gov>
Subject: RE: we'll have a document for you to sign as soon as we can

Justina

Ex. 5 Attorney Client (AC)

Peter

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Sent: Tuesday, July 9, 2019 3:56 PM
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Cc: Cozad, David <Cozad.David@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Mosley, Ferne <mosley.ferne@epa.gov>
Subject: RE: we'll have a document for you to sign as soon as we can

Justina

Ex. 5 Attorney Client (AC)

AMERICAN OVERSIGHT

Ex. 5 Attorney Client (AC)

I think that this is about the best I can do today at work.

Please let me know if there is any additional information that you need.

Peter

From: Fugh, Justina
Sent: Tuesday, July 9, 2019 3:01 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Cozad, David <Cozad.David@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Mosley, Ferne <mosley.ferne@epa.gov>
Subject: we'll have a document for you to sign as soon as we can

Hi there,
I'm sorry to pester you about this, but you will have to sign an amendment letter for your previously filed nominee report, and then we will send it over to the Office of Government Ethics. Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

Justina

Ex. 5 Attorney Client (AC)

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 8/3/2018 8:04:15 PM
To: Cook, Steven [cook.steven@epa.gov]
CC: Harwood, Jackie [Harwood.Jackie@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: Urgent Press Inquiry on AEL

Ok. Thanks Steven!

Sent from my iPhone

On Aug 3, 2018, at 3:48 PM, Cook, Steven <cook.steven@epa.gov> wrote:

> FYI - a similar question about the AEL was put to me by the local Bloomberg environmental reporter Paul Stinson at the Texas Envt'l Law Superconference. I gave a short high level response and then deferred to HQ statement.
>
> Sent from my iPhone
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> >
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> >
> > Jackie
> >
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> > **To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
> > **Subject:** FW: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List
> >
> > This is what we sent to the reporter thanks ng
> >
> > **Nancy Grantham**
> > **Office of Public Affairs**
> > **US Environmental Protection Agency**
> > **202-564-6879 (desk)**
> > **202-253-7056 (mobile)**
> >
> > **From:** Konkus, John
> > **Sent:** Friday, August 03, 2018 3:03 PM
> > **To:** Corbin Hiar <chiar@eenews.net>; Press <Press@epa.gov>
> > **Subject:** RE: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

AMERICAN OVERSIGHT

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Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: Urgent Press Inquiry on AEL
Importance: High

Hi Peter and Steven,

AMERICAN OVERSIGHT

OPA wanted you to be aware of the press inquiry we received below. Deadline is ASAP and we have asked Silvina/Erin to put an answer together since OLEM/OSRTI has not been involved in the AEL decisions.

Will send you what Silvina puts together in case you have time for a quick review.

Thanks.
Jackie

Jackie Harwood
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

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Subject: RE: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

Also looping in erin chancellor

Thanks ng

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US Environmental Protection Agency
202-564-6879 (desk)
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Need an answer on this asap .. please send answer asap thanks ng

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Office of Public Affairs
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Sent: Friday, August 03, 2018 1:28 PM
To: Press <Press@epa.gov>
Subject: FW: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

AMERICAN OVERSIGHT

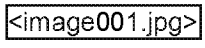
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What are the other sites Administrator Wheeler and his adviser Peter Wright are recused from working on?

Please get back to me with more information by 3:15 p.m., when I plan to file a story.

Thanks, C

From: EPA Press Office <noreply-subscriptions@epa.gov>
Sent: Friday, August 03, 2018 1:17 PM
To: Corbin Hiar <chiar@eenews.net>
Subject: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List



CONTACT: press@epa.gov

Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

Eight Sites Come Off List

WASHINGTON (August 3, 2018) - Today, the U.S. Environmental Protection Agency (EPA) released the next revision of the Administrator's Emphasis List of Superfund Sites Targeted for Immediate, Intense Action. Eight sites (**Centredale Manor Restoration Project, American Cyanamid Co., Ventron/Velsicol [aka Berry's Creek]+, Delaware Sand & Gravel Landfill+, B.F. Goodrich, Mississippi Phosphates Corporation, Allied Paper, Inc./Portage Creek/Kalamazoo River*, and Casmalia Resources*+**) have been removed from the Administrator's Emphasis List, as the specific goals, objectives, and milestones associated with these sites have been achieved due to the direct involvement of Acting Administrator Andrew Wheeler and former EPA Administrator Scott Pruitt. With this update, there are a total of 14 Superfund sites on the list.

"Today's announcement reflects EPA's continued progress accelerating Superfund sites through the cleanup process and returning them to communities for productive use," said Acting EPA Administrator Wheeler. **"As we remove these eight sites from the Administrator's Emphasis List, we continue to look for opportunities at other sites where intense action is appropriate."**

In the time since the second Administrator's Emphasis List was released in April 2018, settlements were successfully negotiated, Consent Decrees were signed by potentially responsible parties, several proposed cleanup plans were released for public comment, time critical removal actions were completed, a non-time- critical removal action plan was signed and initiated and a Record of Decision was issued.

The Administrator's Emphasis List is composed of sites identified by Acting Administrator Wheeler and the Regions that will benefit from the Acting Administrator's immediate and intense action. The list is intended to be dynamic, with sites being moved on and off the list as needed. EPA anticipates revising the list quarterly

AMERICAN OVERSIGHT

Background

The initial list and last revision were released on December 8, 2017 and April 16, 2018, respectively, in direct response to recommendations from the Superfund Task Force. It is anticipated that this list will be revised quarterly.

EPA remains dedicated to addressing risks at all Superfund sites, not just those on the Administrator's Emphasis List. The Superfund Task Force Recommendations are aimed at expediting cleanup at all Superfund sites, and Acting Administrator Wheeler is continuing the expectation that there will be a renewed focus on accelerating work and progress at Superfund sites across the country.

On the one-year anniversary of the EPA's Superfund Task Force Report, EPA announced significant progress in carrying out the Superfund Task Force's recommendations. These achievements will provide certainty to communities, state partners, and developers that the nation's most hazardous sites will be cleaned up as quickly and safely as possible and have potential for future beneficial use.

EPA's new "Superfund Task Force Recommendations 2018 Update" is available at:
https://www.epa.gov/superfund/superfund-task-force-recommendations-2018-update

The Superfund Task Force, whose work is ongoing, has five overarching goals:

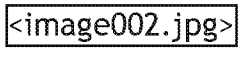
- Expediting cleanup and remediation;
- Reinvigorating cleanup and reuse efforts by potentially responsible parties;
- Encouraging private investment to facilitate cleanup and reuse;
- Promoting redevelopment and community revitalization; and
- Engaging with partners and stakeholders.

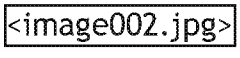
The Superfund Task Force will provide the public with regular updates as it makes progress on the Administrator's Emphasis List and other Superfund Task Force activities.

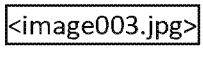
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If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

AMERICAN OVERSIGHT

Message

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Sent: 8/3/2018 7:48:52 PM
To: Harwood, Jackie [Harwood.Jackie@epa.gov]
CC: Wright, Peter [wright.peter@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]
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Subject: FW: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

This is what we sent to the reporter thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

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Sent: Friday, August 03, 2018 3:03 PM
To: Corbin Hiar <chiar@eenews.net>; Press <Press@epa.gov>
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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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Also looping in erin chancellor

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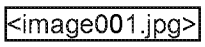
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CONTACT: press@epa.gov

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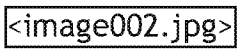
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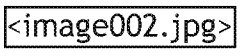
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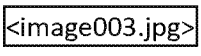
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Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

AMERICAN OVERSIGHT

[SEQ CHAPTER \h \r 1]**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
Washington, D.C. 20460

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

AMERICAN OVERSIGHT

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

AMERICAN OVERSIGHT

personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

Message

From: Kenely, Caroline [Kenely.Caroline@epa.gov]
Sent: 7/30/2019 1:26:27 PM
To: Mosley, Ferne [mosley.ferne@epa.gov]
CC: Wright, Peter [wright.peter@epa.gov]
Subject: Signed Recusal Statement from Peter Wright
Attachments: image2019-07-30-093146.pdf

Good morning Ferne,

See attached signed copy of Peter's Recusal Statement.

Thanks.

From: DC-WJCW-3146-M@epa.gov <DC-WJCW-3146-M@epa.gov>
Sent: Tuesday, July 30, 2019 9:32 AM
To: Kenely, Caroline <Kenely.Caroline@epa.gov>
Subject:

AMERICAN OVERSIGHT

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

JUL 30 2019

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Updated Recusal Statement

FROM: Peter Wright
Assistant Administrator

TO: Andrew R. Wheeler
Administrator

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations. This recusal statement supersedes my July 24, 2018 recusal statement for my prior position as Senior Advisor.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any significant financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

AMERICAN OVERSIGHT

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are **Dow Inc.; DuPont de Nemours, Inc. (DuPont); Corteva[1]; the National Association of Wabash Men; and the Lambda Chi Alpha Home Association of Wabash College.**

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[2]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
Dow Inc.	July 8, 2020
DuPont	July 8, 2020
Corteva, Inc.[3]	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first

[1] In 2019, DowDuPont separated into three independent companies: Dow, DuPont and Corteva. Although the creation of Corteva occurred after I left the company, I am nevertheless including it on my recusal list to avoid even the appearance of an ethics issue while I am the Assistant Administrator for OLEM.

[2] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

[3] Although OGC/Ethics does not anticipate that this company is likely to present any issues in OLEM, I am including it out of an abundance of caution.

AMERICAN OVERSIGHT

obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in any matters related to any Superfund sites at which my former employers are a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites involving my former employers that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in particular matters addressed in this recusal statement, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to the Designated Agency Ethics Official and the Alternate Designated Agency Ethics Official.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
David Cozad, Acting Designated Agency Ethics Official
Justina Fugh, Alternate Designated Agency Ethics Official

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Message

From: Mosley, Ferne [mosley.ferne@epa.gov]
Sent: 7/29/2019 7:45:41 PM
To: eacompliance@oge.gov
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Ethics Compliance for Peter Wright
Attachments: Wright signed EA Compliance July 29 2019.pdf

Hello, I have attached the Ethics Compliance Certification for EPA Assistant Administrator Mr. Peter Wright.

Please let me or Ms. Fugh know if you have any questions.

Sincerely,
Ferne Mosley

Ferne L. Mosley, Attorney-Advisor
Ethics Office – Office of General Counsel
U.S. Environmental Protection Agency
William Jefferson Clinton Building – North, Room 4413A
Washington, DC 20460 (for ground deliveries: 20004)
Mail Code 2311A
Desk phone: (202) 564-8046
Cell phone: (202) 306-2998

AMERICAN OVERSIGHT

Message

From: Griffo, Shannon [Griffo.Shannon@epa.gov]
Sent: 7/31/2018 6:50:45 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: For Your Awareness - FOIA Release of your Recusal Statement and Attachment
Attachments: Peter Wright Signed Recusal 7_24_18.pdf; Peter Wright Superfund List Attachment to Recusal.xlsx

Hi Peter,

OGC/Ethics, like a lot of other EPA offices, has received numerous FOIA requests. In some cases, these requests have specifically asked for your ethics-related documents. OGC/Ethics has reviewed your responsive records and plans to release your recusal statement and associated Excel spreadsheet of Superfund sites (see attached) to the following requestor on Thursday, August 2nd:

- *Kevin Bogardus* (E&E News), EPA-HQ-2018-009790: requesting certain ethics-related documents for Peter Wright

If you have any questions, please let OGC/Ethics know.

Thanks,
Shannon

Shannon Griffo
Ethics Attorney
Office of General Counsel, Ethics
U.S. Environmental Protection Agency
(202) 564-7061
Griffo.Shannon@epa.gov

AMERICAN OVERSIGHT

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

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

AMERICAN OVERSIGHT

ED_002965A_00009011-00001

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.[1]

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

[1] I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." *See* Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

AMERICAN OVERSIGHT

personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Message

From: Doyle, Brett [doyle.brett@epa.gov]
Sent: 6/12/2019 6:08:18 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: FW: Suggested Agenda for 061319 AEL Meeting

Hi Peter,

I just sent the below email, but am putting you on a separate chain to remove the item(s) you are recused from.

Thanks,

Brett

From: Doyle, Brett
Sent: Wednesday, June 12, 2019 2:00 PM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Subject: Suggested Agenda for 061319 AEL Meeting

Hi All,

I am passing this along so everyone is on the same page RE discussion topics for tomorrow. N.B. that I will send an edited version of this list ot Peter, as he is recused from one of the agenda items.

Ex. 5 Deliberative Process (DP)

Finally, this is not set in stone. If there are other sites that you would like to discuss tomorrow, please feel free.

Suggested Agenda -- 6/13/19 AEL Meeting

Potential AEL Addition Discussion-30 Minutes

Ex. 5 Deliberative Process (DP)

Potential AEL Removal Discussion-20 Minutes

Ex. 5 Deliberative Process (DP)

OPA/OCIR Coordination Discussion-10 Minutes

AMERICAN OVERSIGHT

1. Superfund Reuse Initiative 20th Anniversary
2. "Where are They Now" List
3. Region/HQ press events at specific sites.

Brett Doyle
Senior Advisor to the Administrator
U.S. Environmental Protection Agency
(202) 564-6277

AMERICAN OVERSIGHT

Message

From: Cook, Steven [cook.steven@epa.gov]
Sent: 7/30/2018 11:57:26 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: RE: Monthly Superfund Deletions Report

Ok – we will wait for you to get the clarification and then determine if we can add you to the list without scrubbing.

From: Wright, Peter
Sent: Monday, July 30, 2018 7:56 PM
To: Cook, Steven <cook.steven@epa.gov>
Subject: Re: Monthly Superfund Deletions Report

Steven

I would think so. I am an inclined to clarify with Justina that I am not recused from hearing publicly available information.

Peter

Sent from my iPhone

On Jul 30, 2018, at 7:42 PM, Cook, Steven <cook.steven@epa.gov> wrote:

<image001.gif>
Can we add you to this email list without worry on recusals? It is mostly public information and is about process.

From: Hovis, Jennifer
Sent: Monday, July 30, 2018 1:59 PM
To: Cook, Steven <cook.steven@epa.gov>
Cc: Falvo, Nicholas <falvo.nicholas@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Leonard, Paul <leonard.paul@epa.gov>; Gervais, Gregory <Gervais.Gregory@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Gartner, Lois <Gartner.Lois@epa.gov>; Fitz-James, Schatzi <Fitz-James.Schatzi@epa.gov>; Jennings, Robert <Jennings.Robert@epa.gov>; Barr, Pamela <Barr.Pamela@epa.gov>; Sands, Charles <Sands.Charles@epa.gov>; Norris, Rich <Norris.Rich@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Duteau, Helen <Duteau.Helen@EPA.GOV>; Colip, Matthew <colip.matthew@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Schutz, Michelle <Schutz.Michelle@epa.gov>; Fiedler, Linda <Fiedler.Linda@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>
Subject: Monthly Superfund Deletions Report

Good afternoon, Steven:

Please find attached the monthly update to the data on deletions and partial deletions planned at National Priorities List sites in FY2018. This report is shared with Task Force leadership at the end of each month.

AMERICAN OVERSIGHT

We have accomplished 7 full site deletions and 1 partial deletion thus far in FY18. There are currently 13 additional actions that have at least opened a public comment period and are now in various phases of processing. The report shows when the comment period closed/will close, which helps give a sense of when we can expect more of these actions to take effect. Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) We will continue to work quickly as the comment period closes on all of these actions.

Please let us know if you have any questions, or if you would like any additional information regarding the deletion process to help decipher the report.

<><><><><><><><><><><><><><><>

JEN HOVIS
Chief, Construction & Post Construction Management Branch (CPCMB)
Office of Superfund Remediation & Technology Innovation (OSRTI)
desk: 703.603.8888 | cell: 571.814.0303 | hovis.jennifer@epa.gov

<FY2018 Planned Deletion.7.30.2018.pdf>

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 5/8/2019 6:25:39 PM
To: Doyle, Brett [doyle.brett@epa.gov]
CC: Konkus, John [konkus.john@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Hoverman, Taylor [hoverman.taylor@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
Subject: Re: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement

All

I am recused from this site.

Peter

Sent from my iPhone

On May 8, 2019, at 1:24 PM, Doyle, Brett <doyle.brett@epa.gov> wrote:

> Forgot to loop in Chris.
>
> Chris, please see the proposed AW quote in the attached doc for approval.
>
> Thanks,
>
> Brett
>
> ---
>
> **From:** Konkus, John
> **Sent:** Wednesday, May 8, 2019 2:22 PM
> **To:** Doyle, Brett <doyle.brett@epa.gov>; Cook, Steven <cook.steven@epa.gov>
> **Cc:** Wright, Peter <wright.peter@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
> **Subject:** RE: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement
>
> It's good news.
>
> ---
>
> **From:** Doyle, Brett
> **Sent:** Wednesday, May 8, 2019 2:21 PM
> **To:** Cook, Steven <cook.steven@epa.gov>
> **Cc:** Wright, Peter <wright.peter@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Konkus, John <konkus.john@epa.gov>
> **Subject:** RE: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement
>
> I'm fine with the quote, but looping in OPA for their thoughts.
>
> ---
>
> **From:** Cook, Steven
> **Sent:** Wednesday, May 8, 2019 2:15 PM
> **To:** Doyle, Brett <doyle.brett@epa.gov>
> **Cc:** Wright, Peter <wright.peter@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
> **Subject:** FW: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement
> **Importance:** High
>
> Brett –

AMERICAN OVERSIGHT

Region 10 is preparing a press release for tomorrow regarding the Portland Harbor site which is on the Emphasis List (see attachment). We thought it would be useful to have a quote from the Administrator on this since this site is on the list. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please us know if you need more details.

Steven

From: Harwood, Jackie
Sent: Wednesday, May 8, 2019 1:51 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: URGENT: For B/P/S/OSRTI Review - Portland Harbor Agreement
Importance: High

Hi Barry, Peter, Steven,

Attached is a draft press release that R10 intends to send out tomorrow on Portland Harbor – for your review. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Because R10 intends to send this out tomorrow, I'll need your comments by late afternoon today, if possible. I apologize for the short turnaround but we just received the draft release. I'm sending this to OSRTI and OECA now as well and will let you know if they have any comments. OPA will be sending this to the Administrator to review/approve after they hear from us.

Please let me know if you have any questions or concerns.

Jackie Harwood
Communications Director
Office of Land and Emergency Management (OLEM/OCPA)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 5/31/2019 2:40:50 PM
To: Hoverman, Taylor [hoverman.taylor@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Harwood, Jackie [Harwood.Jackie@epa.gov]
Subject: RE: Weekly Selected Requests 05/22/2019 to 05/29/2019

Taylor

I do not see why you cannot notify me about FOIAs related to my recused matters. I cannot be involved in the preparation of the responses.

Thank you.

Peter

From: Hoverman, Taylor
Sent: Thursday, May 30, 2019 5:32 PM
To: Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>
Subject: Fwd: Weekly Selected Requests 05/22/2019 to 05/29/2019

FYI —
Only HQ OLEM FOIA request this week is on CCR. Barry, Steven, Barnes, and Betsy are named.

There are regional FOIA requests re Lower Passaic, Portland Harbor, and Lower Duwanish.

Peter — Given your recusals from some of those sites, is it permissible for me to alert you of these FOIA requests? Or should I send separate notes moving forward?

Sharing with Jackie as discussed at the Comms meeting.

Taylor Hoverman
Policy Counsel
OLEM
202-494-3662

Sent from my iPhone. Please excuse typos or brevity.

Begin forwarded message:

> **From:** "Epp, Timothy" <Epp.Timothy@epa.gov>
> **Date:** May 30, 2019 at 5:15:02 PM EDT
> **To:** "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "White, Elizabeth" <white.elizabeth@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Baptist, Erik" <Baptist.Erik@epa.gov>, "Schwab, Justin" <Schwab.Justin@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>, "Richardson, RobinH" <Richardson.RobinH@epa.gov>, "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Lyons, Troy" <lyons.troy@epa.gov>, "Brazauskas, Joseph" <brazauskas.joseph@epa.gov>, "Layne, Arnold" <Layne.Arnold@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>, "Bertrand, Charlotte" <Bertrand.Charlotte@epa.gov>, "Bolen, Derrick" <bolen.derrick@epa.gov>, "Packard, Elise" <Packard.Elise@epa.gov>, "Wildeman, Anna"

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<wildeman.anna@epa.gov>, "Cook, Steven" <cook.steven@epa.gov>, "Forsgren, Lee" <Forsgren.Lee@epa.gov>, "Mejias, Melissa" <mejias.melissa@epa.gov>, "Lis-Coghlan, Kamila" <lis-coghlan.kamila@epa.gov>, "Hoverman, Taylor" <hoverman.taylor@epa.gov>, "Knapp, Kristien" <Knapp.Kristien@epa.gov>
Subject: Weekly Selected Requests 05/22/2019 to 05/29/2019

Hi all,

Please find attached the weekly selected FOIA requests for the period of 05/22/2019 to 05/29/2019. Please note, during this period we received 99 requests and 34 were selected at this first stage.

This is the first step in the awareness notification selection process; these are not yet selected for that process.

Tim

Timothy R. Epp | National FOIA Office
U.S. Environmental Protection Agency | Office of General Counsel
1200 Pennsylvania Avenue, N.W. (MC 2310A)
Washington, D.C. 20460 | WJCN 7309B
Phone (202) 564-2830| epp.timothy@epa.gov

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 8/21/2019 7:02:24 PM
To: Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Re: Recusal email to DDs

Steven

This will be good.

Thank you.

Peter

Sent from my iPad

On Aug 21, 2019, at 11:58 AM, Cook, Steven <cook.steven@epa.gov> wrote:

> How about we just add in the following sentence – However, please note that Chemours facilities are not subject to the recusal.
>
> **From:** Wright, Peter <wright.peter@epa.gov>
> **Sent:** Wednesday, August 21, 2019 2:07 PM
> **To:** Cook, Steven <cook.steven@epa.gov>
> **Cc:** Hilosky, Nick <Hilosky.Nick@epa.gov>
> **Subject:** Re: Recusal email to DDs
>
> Steven
>
> The note looks fine. One possible clarification that may not be necessary to make is that I am not disqualified from working on Chemours sites.
>
> It can go out as is and then we can see down the road if we need to make this or any other clarification.
>
> Thank you.
>
> Peter
>
> Sent from my iPad
>
> On Aug 20, 2019, at 8:31 AM, Cook, Steven <cook.steven@epa.gov> wrote:
>
> > Peter –
> >
> > Below is the draft email Nick and I have worked up to send to the region DDs for SEM and LCARD. Any revisions?
> >
> > Dear Colleagues,

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In an effort to meet our ethics obligations, please ensure that when sending site-specific information to the OLEM AA and/or OLEM Immediate Office, you check Peter Wright's recusal list before sending,

For Superfund sites: If there is specific information for a site on the recusal list, please do not include Peter Wright on the email. Please do include in the email a note that you are leaving him off because he is recused. We've attached Peter's most recent recusal list for your information. This recusal list will be in place until July 8, 2020. After that, a more limited list of sites will still be subject to recusal. We will circulate an updated list at that time.

For RCRA and current operating sites: Peter is recused from specific matters involving DowDuPont sites, including subsidiaries and recent spin-offs, for two years (until July 8, 2020). If you need to send site specific information to the OLEM AA or I/O please follow the same protocol as above.

Thank you in advance for your help,

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
+1 202.566.0609
cook.steven@epa.gov

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 3/19/2019 11:48:56 PM
To: Zimmer, Nathaniel [zimmer.nathaniel@epa.gov]
CC: Edwards, Crystal [Edwards.Crystal@epa.gov]; Kenely, Caroline [Kenely.Caroline@epa.gov]; Ross, David P [ross.davidp@epa.gov]
Subject: RE: Meeting with American Chemistry Council - 3/26 @ 3 - 4:00 pm

Nate

Thank you. It makes it simpler if there are not members.

Peter

From: Zimmer, Nathaniel
Sent: Tuesday, March 19, 2019 3:23 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Edwards, Crystal <Edwards.Crystal@epa.gov>; Kenely, Caroline <Kenely.Caroline@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Subject: RE: Meeting with American Chemistry Council - 3/26 @ 3 - 4:00 pm

Peter,

Understandable. Will forward you the event now along with your staff. The ACC attendees are the following:

- Bryan Zumwalt, VP of Federal Affairs
- Steve Russell, VP of Plastics Division
- Stewart Harris, Director of Marine and Environmental Stewardship

Best,

Nathaniel Zimmer
Senior Advisor
Office of International and Tribal Affairs
United States Environmental Protection Agency
1300 Pennsylvania Ave NW
Washington, DC 20460
Mobile: 202-716-9530 I Office: 202-564-4857
zimmer.nathaniel@epa.gov

From: Wright, Peter
Sent: Tuesday, March 19, 2019 12:44 PM
To: Zimmer, Nathaniel <zimmer.nathaniel@epa.gov>
Cc: Edwards, Crystal <Edwards.Crystal@epa.gov>; Kenely, Caroline <Kenely.Caroline@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Subject: RE: Meeting with American Chemistry Council - 3/26 @ 3 - 4:00 pm

Nate

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I will have to leave the meeting early to make an appointment on Capitol Hill. I may also have to find out what ACC members are attending to make sure that I do not have an ethics conflict if a Dow representative will be in attendance. I would be glad to ask Kathleen Salyer to attend as she is OLEM's point person on this topic and is in fact in France this week preparing for this meeting.

Peter

From: Zimmer, Nathaniel
Sent: Tuesday, March 19, 2019 11:49 AM
To: Ross, David P <ross.davidp@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Cc: Edwards, Crystal <Edwards.Crystal@epa.gov>; Kenely, Caroline <Kenely.Caroline@epa.gov>
Subject: Meeting with American Chemistry Council - 3/26 @ 3 - 4:00 pm

David and Peter,

Chad has requested your attendance for a meeting with the American Chemistry council on 3/26. The meeting is to discuss preparation for the G7 Ministerial meeting in France – specifically regarding marine plastics.

Please let me know if available or need additional information.

Best,

Nathaniel Zimmer
Senior Advisor
Office of International and Tribal Affairs
United States Environmental Protection Agency
1300 Pennsylvania Ave NW
Washington, DC 20460
Mobile: 202-716-9530 I Office: 202-564-4857
zimmer.nathaniel@epa.gov

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 3/15/2019 5:24:47 PM
To: Darwin, Veronica [darwin.veronica@epa.gov]
Subject: RE: AEL briefing

Veronica

Thank you.

Peter

From: Darwin, Veronica
Sent: Friday, March 15, 2019 1:24 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: AEL briefing

I will. Thanks.
V.

From: Wright, Peter
Sent: Friday, March 15, 2019 1:07 PM
To: Darwin, Veronica <darwin.veronica@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: AEL briefing

Veronica

Will you bring extra copies or should we? If it is OLEM, please let Nick know.

Thank you.

Peter

From: Darwin, Veronica
Sent: Friday, March 15, 2019 9:49 AM
To: Wright, Peter <wright.peter@epa.gov>
Subject: AEL briefing

Can you lead this afternoon's briefing? I'd be most appreciative. I will jump in if needed for the sites you are recused if others don't chime in. Thank you.

Veronica

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 3/15/2019 3:59:14 PM
To: Darwin, Veronica [darwin.veronica@epa.gov]
Subject: RE: AEL briefing

Veronica

Sure.

Peter

From: Darwin, Veronica
Sent: Friday, March 15, 2019 9:49 AM
To: Wright, Peter <wright.peter@epa.gov>
Subject: AEL briefing

Can you lead this afternoon's briefing? I'd be most appreciative. I will jump in if needed for the sites you are recused if others don't chime in. Thank you.

Veronica

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 3/29/2019 10:27:56 AM
To: Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: Harvey

Taylor

I am responding to one at a time.

For Harvey

Ex. 5 Deliberative Process (DP)

Peter

Sent from my iPad

On Mar 28, 2019, at 7:27 PM, Hoverman, Taylor <hoverman.taylor@epa.gov> wrote:

> Peter,
>
> Below are Holly's notes from this morning's meeting. Attached are PDFs of the updated drafts incorporating this feedback. You'll notice I'm still waiting to receive info from 1 or 2 folks.
>
> My responses to Holly's notes in red:
>
> - Please create new fact sheets for: GKM Ex. 5 Deliberative Process (DP), Butte, MT SF site
>   - OGC is working on GKM fact sheet, and I confirmed that Butte required changes (under OLEM-29 below), not a new fact sheet.
> - Ensure all SF fact sheets list which members have an interest
>   - Sending in separate email.
> - OLEM -1 – Ex. 5 Deliberative Process (DP)
>   - You reviewed. I'm incorporating your edits and sent to Reggie and Becki for help.
> - OLEM-3 – Talking points should be reflective of background/key points. Ex. 5 Deliberative Process (DP)
>   - You reviewed. I'm incorporating your edits.
> - OLEM-4 – Add a point noting the date AW visited the site
>   - You reviewed. I'm incorporating your edits.
> - OLEM-12 – Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)
>   - OGC is working on this.
> - OLEM-14 – Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)
>   - Jen is running down the outstanding question for 14.
> - OLEM-18 – Ex. 5 Deliberative Process (DP)
>   - You reviewed. I'm incorporating your edits.

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- OLEM-19 – update fact sheet to include congressional interest
  - I just added "Congressional interest" with a comment bubble for OCIR, Melanie, or Jackie to add any congressional interest they know of since we didn't know of any.
- OLEM-22 – Talking points don't address the issue
  - Attached for review.
- OLEM-24 – Ex. 5 Deliberative Process (DP)

  Ex. 5 Deliberative Process (DP)
  - You reviewed. I'm incorporating your edits.
- OLEM-27 – Need updated info consistent with January hearing
  - You are recused. Let me know if they are general for you to review or not.
- OLEM-29- Add a point noting the date AW visited the site
  - Attached for review.
- OLEM-30 – Ex. 5 Deliberative Process (DP)

  Ex. 5 Deliberative Process (DP)
  - Attached for review.
- OLEM-34 – Add talking point on work we are doing with community groups
  - You are recused. Let me know if they are general for you to review or not.

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

Ex. 5 Deliberative Process (DP)

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 4/25/2019 8:05:59 PM
To: Bodine, Susan [bodine.susan@epa.gov]
CC: Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; DeLeon, Rafael [Deleon.Rafael@epa.gov]; Patterson, Kenneth [Patterson.Kenneth@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Laws, Elliott [ELaws@crowell.com]
Subject: Re: CONFIRMED: Meeting with Northwest Natural Gas re: Portland Harbor Superfund Site

Susan

I am recused from this site and so I assumed it was inadvertent that I was included.

Peter

Sent from my iPad

> On Apr 25, 2019, at 2:47 PM, Bodine, Susan <bodine.susan@epa.gov> wrote:
>
> Directions and procedures to 1200 Pennsylvania Avenue NW:
> Metro: If you come by Metro get off at the Federal Triangle metro stop. Exit the metro station and go up two sets of escalators to the surface level and turn left. You will see a short staircase and wheelchair ramp leading to a set of glass doors with the EPA logo - that is the William Jefferson Clinton Federal Building, South Entrance.
> Taxi: Direct the taxi to drop you off on 12th Street NW, between Constitution and Pennsylvania Avenues, at the elevator for the Federal Triangle metro stop - this is almost exactly half way between the two avenues on 12th Street NW. Facing the building with the EPA logo and American flags, walk toward the building and take the glass door on your left hand side with the escalators going down to the metro on your right- that is the South Lobby of the William Jefferson Clinton building.
> Security Procedures: A government issued photo id is required to enter the building and it is suggested you arrive 15 minutes early in order to be cleared and arrive at the meeting room on time. Upon entering the lobby, the meeting attendees will be asked to pass through security and provide a photo ID for entrance. Let the guards know that you were instructed to call 202-564-2440 for a security escort.
>
> <meeting.ics>

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 9/28/2018 3:15:45 PM
To: Block, Molly [block.molly@epa.gov]
CC: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]; Fotouhi, David [fotouhi.david@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Cook, Steven [cook.steven@epa.gov]
Subject: RE: FOR REVIEW: Berry's Creek Press Release

Molly

I will delete as I am recused from this matter.

Peter

From: Block, Molly
Sent: Friday, September 28, 2018 11:06 AM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: FOR REVIEW: Berry's Creek Press Release

Region 2 wants to push this release out on Tuesday. Please take a look at the release attached and let me know if you have any edits. Thanks!

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 2/1/2019 4:00:41 PM
To: Ex. 6 Personal Privacy (PP)
Subject: Fwd: Reminder to report stock transactions
Attachments: OGE Form 278-T_Jan2019 FINAL.xls; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Ross, Margaret" <Ross.Margaret@epa.gov>
Date: January 30, 2019 at 10:13:24 PM EST
To: "Wright, Peter" <wright.peter@epa.gov>
Cc: "Fugh, Justina" <Fugh.Justina@epa.gov>
Subject: Reminder to report stock transactions

Hi Peter,

Happy new year. I hope this note finds you well.

Ex. 5 Attorney Client (AC)

Please feel free to contact me with any questions.

Many thanks,
Margaret Ross

Margaret Ross | Ethics Officer | Office of General Counsel | US EPA | William Jefferson Clinton Federal Building Room 4310A North | Washington, DC 20460 (for ground deliveries: 20004) | phone 202-564-3221 |work cell 202-527-0432

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 8/26/2018 4:55:17 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Fwd: Request for meeting with ACC on Plastic Recovery
Attachments: Peter_Wright_mtgrequest_EPA.docx; ATT00001.htm

Justina

I expect that I need to not accept this meeting until I divest my DowDupont stock. I am seeking your confirmation. I do not expect there is anything time critical about this meeting and if so Steven Cook and Barry can attend.

Thank you.

Peter

Sent from my iPad

Begin forwarded message:

> **From:** "Russell, Steven K." <Steven_Russell@americanchemistry.com>
> **Date:** August 25, 2018 at 5:17:21 PM EDT
> **To:** "wright.peter@epa.gov" <wright.peter@epa.gov>
> **Cc:** "johnson.barnes@epa.gov" <johnson.barnes@epa.gov>, "Cookson, Craig" <Craig_Cookson@americanchemistry.com>, "Joseph, Aiysha D." <Aiysha_Joseph@americanchemistry.com>
> **Subject: Request for meeting with ACC on Plastic Recovery**
>
> Special Counsel Wright,
>
> Attached is a meeting request from the American Chemistry Council to discuss pathways to achieving our goal for 100% reuse, recycling or recovery of plastic packaging by 2040.
>
> Regards,
> Steve Russell

Steve Russell | American Chemistry Council
Vice President, Plastics Division
steven_russell@americanchemistry.com
700 2nd Street, NE | Washington, DC | 20002
O: 202.249.6600 C: 703.395.4525
www.americanchemistry.com/plastics
www.plasticsmakeitpossible.com

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 1/4/2019 3:29:11 PM
To: Darwin, Veronica [darwin.veronica@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]
Subject: RE: OLEM Hearing Prep 1.7.19

Barry and Veronica

I have copied for Barry and myself and we can make a set for Steven of all of the one pagers with the exception of the ones for the SF sites for which I am recused. These sites are the Berry's Creek, the Hackensack, Passaic, Portland Harbor and Vertac.

Peter

From: Frye, Tony (Robert)
Sent: Friday, January 4, 2019 9:52 AM
To: Greaves, Holly <greaves.holly@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>
Cc: Palich, Christian <palich.christian@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: OLEM Hearing Prep 1.7.19

Hello Team – In advance of the OLEM hearing prep on Monday, here are the fact sheets for you to print in advance. Let us know if you have any questions.
Thanks,
Tony

Tony Frye
Special Advisor
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 12/21/2018 8:38:18 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
CC: Keith, Jennie [Keith.Jennie@epa.gov]
Subject: RE: Seeking Approval to attend - 2019 Leaders In Technology Dinner

Justina and Jennie

Thank you. This makes sense to address all of the OLEM issues. As this is an every year event hopefully this year's work can lighten the effort in subsequent years.

Happy Holidays.

Peter

From: Fugh, Justina
Sent: Friday, December 21, 2018 3:16 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Seeking Approval to attend - 2019 Leaders In Technology Dinner

Hi Peter,
Jennie Keith of OGC/Ethics is coordinating with Kecia Thornton to be sure that we provide advice to all of the EPA employees who may be attending this event (there are four in OP, for example). You should hear back from either Jennie or Kecia soon, notwithstanding the possible shutdown.
Cheers,
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Wright, Peter
Sent: Wednesday, December 19, 2018 4:05 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Seeking Approval to attend - 2019 Leaders In Technology Dinner

Justina

I am seeking approval to be able to attend two receptions at the Consumer Electronics show during the second week of January. I do not need an answer this calendar year.

I am presenting awards on behalf of EPA at the upcoming Consumer Electronics show in Las Vegas. EPA attendees are provided with complimentary registration that apparently includes the reception and dinner below (and possibly one the

AMERICAN OVERSIGHT

following night) that will be attended by many people. I understand from the RCRA program that they have received their ethics clearance to attend these included receptions.

Please let me know if you need more information.

If we do not touch base yet this year, please accept my best wishes for a Happy Holiday season.

Peter

From: Gary Shapiro <LITdinner@CTA.tech>
Sent: Wednesday, December 19, 2018 1:34 PM
To: Wright, Peter <wright.peter@epa.gov>
Subject: Registration Confirmed - 2019 Leaders In Technology Dinner



Dear Peter,

Your registration has been confirmed. Please save this email for future reference.

Event: 2019 Leaders In Technology Dinner
Attending: Peter Wright
Total Registrants: 1
Start Time: 6:30 PM
Start Date: Wednesday, January 9, 2019
Location: Wynn Las Vegas, Lafite Ballroom
Address: 3131 Las Vegas Blvd.South, Las Vegas, Nevada 89109, USA

Confirmation Number: FRNSBQ8VBH3 (needed to view/modify your online registration)

Registration Information:	
Registration Items	
Peter Wright	VIP Entry

Click here to view your online registration confirmation.

Click here to modify your registration.

We look forward to seeing you in Las Vegas!

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Having trouble with the link? Simply copy and paste the entire address listed below into your web browser: http://www.cvent.com/d/9_PZT5E0Lk-VufEJGzTGBg/blc9/P1/0R?

If you no longer want to receive emails from Laura Hudson please click the link below. Opt-Out

powered by cvent

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 12/19/2018 9:05:05 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Seeking Approval to attend - 2019 Leaders In Technology Dinner

Justina

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AMERICAN OVERSIGHT

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Confirmation Number: FRNSBQ8VBH3 (needed to view/modify your online registration)

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 2/4/2019 10:45:05 PM
To: Ross, Margaret [Ross.Margaret@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Draft Transaction Report

Margaret

I was pulled into some unscheduled meetings this afternoon. I will drop the form off tomorrow.

Thank you,

Peter

-----Original Message-----
From: Ross, Margaret
Sent: Monday, February 4, 2019 12:57 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Draft Transaction Report

Thanks. I'm sure that Justina would like the original for her files. I'm in 4310 if you have a minute to drop it off, but please don't inconvenience yourself. I can always swing by to pick it up at a later date. ☺

Margaret Ross | Ethics Officer | Office of General Counsel | US EPA | William Jefferson Clinton Federal Building Room 4310A North | Washington, DC 20460 (for ground deliveries: 20004) | phone 202-564-3221 |work cell 202-527-0432

-----Original Message-----
From: Wright, Peter
Sent: Monday, February 4, 2019 12:47 PM
To: Ross, Margaret <Ross.Margaret@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Draft Transaction Report

Margaret

Attached please find the scan of my signed form. I will be heading to the North building at 2 for the senior staff meeting if you need an original.

Thank you,

Peter

-----Original Message-----
From: Ross, Margaret
Sent: Monday, February 4, 2019 11:18 AM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Draft Transaction Report

Hi Peter,

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Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

Thanks again!
Margaret

AMERICAN OVERSIGHT

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-----Original Message-----
From: Peter Wright <pcw9@mac.com>
Sent: Friday, February 1, 2019 12:00 PM
To: Ross, Margaret <Ross.Margaret@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Draft Transaction Report

Margaret

Ex. 5 Attorney Client (AC)

I did not realize that I had to submit a separate report for these transactions until you informed me that it was necessary.

Thank you for your assistance. I am out of the office today but can be reached Ex. 6 Personal Privacy (PP).

Have a great Super Bowl weekend.

Peter

oday

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 2/4/2019 7:46:29 PM
To: Ross, Margaret [Ross.Margaret@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Draft Transaction Report

Margaret

I will drop the form by a bit later this afternoon.

Peter

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From: Ross, Margaret
Sent: Monday, February 4, 2019 12:57 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
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Sent: 2/4/2019 6:24:46 PM
To: Ross, Margaret [Ross.Margaret@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Draft Transaction Report

Margaret

I will drop it off.

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Peter

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To: Wright, Peter <wright.peter@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
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AMERICAN OVERSIGHT

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Sent: 2/4/2019 5:47:28 PM
To: Ross, Margaret [Ross.Margaret@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Draft Transaction Report
Attachments: image2019-02-04-125702.pdf

Margaret

Attached please find the scan of my signed form. I will be heading to the North building at 2 for the senior staff meeting if you need an original.

Thank you,

Peter

-----Original Message-----
From: Ross, Margaret
Sent: Monday, February 4, 2019 11:18 AM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Draft Transaction Report

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AMERICAN OVERSIGHT

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Sent: 1/27/2019 10:37:35 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Fwd: Signed Ethics Agreement
Attachments: Ethics Letter Signed January 2019.pdf; ATT00001.htm

Justina

Here is the signed agreement.

Peter

Sent from my iPad

Begin forwarded message:

> **From:** Peter Wright <midland9@gmail.com>
> **Date:** January 27, 2019 at 5:27:52 PM EST
> **To:** Peter Wright <wright.peter@epa.gov>
> **Subject: Signed Ethics Agreement**

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 9/26/2018 11:37:14 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
CC: Griffo, Shannon [Griffo.Shannon@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]
Subject: Re: Potential Meeting with Lobbying Group

Justina

Thank you for the guidance. It is clear and I will follow it.

Peter

Sent from my iPhone

On Sep 26, 2018, at 7:34 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

> Hi there,
> Now that EPA has confirmed that a representative of DowDuPont will be present, we cannot allow you to attend the meeting. The reason is unrelated to the ethics pledge but rather solely related to the fact that you have a financial conflict of interest with that company and cannot participate in or attend a meeting at which their representatives are present.
>
> Even though we do anticipate getting you a certificate of divestiture for your Dow stock, we don't have it yet. So the only way we could allow you to participate is to issue a waiver, but I'm disinclined to do that. For any conflicts waiver, we have to consult with the Office of Government Ethics We don't have enough time, and, besides, I really don't want to put you in an awkward position as we await your confirmation. So we can't allow you to participate in the meeting because of the presence of the Dow representatives.
> Justina
>
> Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Wright, Peter
Sent: Wednesday, September 26, 2018 3:45 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: RE: Potential Meeting with Lobbying Group

Justina

Here is the attendance list for the AROW meeting that shows representatives from 5 companies plus Dow as attending together with attorney's and lobbyists.

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Steve Shestag, Boeing, Director of Environment
Peter Pagano, Boeing, Director of Government Operations
Doug Reid-Green, BASF, Remediation Expert
Mark Washko, BASF, Head of Federal Government Affairs
Robert Nolan, ExxonMobil, Senior Government Relations Advisor
Mary Draves, Dow, Global Director of Environmental Remediation and Restoration
Dennis Deziel, Dow, Director of Government Affairs
Peter Saba, Schnitzer Steel, Senior Vice President and General Counsel
Jeremy Karpatkin, Arnold & Porter, Associate
Bill Hague, Honeywell, Director of Remediation Design & Construction
Rich Gold, Alliance to Restore Our Waterways, Executive Director
Marissa Serafino, Alliance to Restore Our Waterways
Dimitri Karakitsos, Alliance to Restore Our Waterways

The meeting with the Administrator is tomorrow afternoon. Steven Cook is traveling and so is unable to attend.

Peter

From: Wright, Peter
Sent: Tuesday, September 25, 2018 1:30 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: RE: Potential Meeting with Lobbying Group

Justina

I have asked Veronica Darwin, who is attending the meeting, to inquire about the attendees and I will let you know. I did not know that Rich worked at EPA, but in retrospect, I am not surprised.

Peter

From: Fugh, Justina
Sent: Tuesday, September 25, 2018 1:28 PM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: RE: Potential Meeting with Lobbying Group

Hi Peter,
I remember Rich Gold from when he was an EPA attorney! We know that Rich is a partner at Holland & Knight, and he lobbies on their behalf for the Alliance to Restore Our Waterways (AROW) and serves as their Executive Director. When former Administrator Scott Pruitt met with AROW previously to talk about "ways to improve implementation of the Superfund program," the attendees included Rich, plus two others from AROW, as well as two representatives from Dow. We will want to know for certain that none of the attendees is an employee of Dow. Do you want to reach out to Rich (or ask someone in OLEM), or would you prefer that OGC/Ethics did so?
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

AMERICAN OVERSIGHT

From: Wright, Peter
Sent: Tuesday, September 25, 2018 8:34 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Potential Meeting with Lobbying Group

Justina

Rich Gold a lobbyist with Holland & Knight, representing Alliance to Restore our Waterways (AROW), is scheduling a meeting to discuss Superfund and sediment matters. I think that Dow was a member of this group as were other companies that were members of the Sediment Management Work Group (SMWG). The SMWG as it was organized could not lobby and some portion of the members created this separate entity. I am wondering what information do I need to know and share with you to determine whether I can participate in this meeting. I understand that I cannot discuss any of the sites from which I am recused which of course includes two of the largest sediment sites.

Thank you for your help.

Peter

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/27/2018 9:37:25 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: Follow-up Information from EPA re: Peter Wright

Nancy

My weekend will be much better for your report.

Have a great weekend as well.

Peter

From: Grantham, Nancy
Sent: Friday, July 27, 2018 5:36 PM
To: Wright, Peter <wright.peter@epa.gov>
Subject: RE: Follow-up Information from EPA re: Peter Wright

Thanks .. have a great weekend.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Wright, Peter
Sent: Friday, July 27, 2018 5:35 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Follow-up Information from EPA re: Peter Wright

Nancy

Thank you and our colleagues for all of your efforts on my behalf. I have nothing further to add or suggest. I do not have much in the way of hobbies. Over the last number of years, when away from work I have been very active with my college in alumni matters and working with undergraduates and with the ABA's Environmental Section (I have now had to give up formal positions with both).

Peter

From: Grantham, Nancy
Sent: Friday, July 27, 2018 5:19 PM
To: Wright, Peter <wright.peter@epa.gov>
Subject: FW: Follow-up Information from EPA re: Peter Wright
Importance: High

As discussed

Nancy Grantham

AMERICAN OVERSIGHT

Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Grantham, Nancy
Sent: Friday, July 27, 2018 4:42 PM
To: Tabuchi, Hiroko <hiroko.tabuchi@nytimes.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: Follow-up Information from EPA re: Peter Wright
Importance: High

Hiroko: Thank you for taking the time to speak with us earlier. Below are quotes from your call with EPA Region 5 career staff as well as some additional on-the-record quotes we would encourage you to use in your article.

Additionally, attached are three important documents for your reference: July 2106 letter from the Michigan DEQ on Midland; February 28 letter from John Milner, Chair of the ABA's Section on Environment, Energy, and Resources, supporting Mr. Wright's nomination; Mr. Wright's recusal statement.

Finally, below the quotes is background material to answer your other questions.

Quotes to use on the record:

"During Mr. Wright's tenure as Dow's in-house counsel, the company ultimately reached agreement with EPA to use CERCLA/Superfund authority to clean up the rivers and bay. Mr. Wright's work was critical in reaching these agreements with EPA that accelerated work at the site." – Jeff Kelley, EPA Region 5, Office of External Communications

Leverett Nelson (current Regional Counsel):

"Peter was notable for his professionalism, candor, cordiality and grace under pressure, and also had a practical sense of what needed to be done in order to successfully conclude the negotiations."

On Denney allegations:

"I don't recall a correlation between that event and the course of negotiations."

"I don't remember that there was any particular impact on the remedial work at the site. There was other data that was available that was reliable."

"If we had to throw out some samples, it probably had zero impact on our assessment of environmental conditions at the site."

Additional quote from Leveret Nelson: **"EPA Region 5 has been working for many years on Superfund and other hazardous waste cleanups at Dow sites in Michigan, including the Midland plant and the Tittabawassee River. In my experience, the working relationship between EPA's legal team and Dow's legal team headed by Mr. Wright has been a positive one – professional, cordial and largely productive."**

Robert Kaplan (former Regional Counsel) (current Special Policy Advisor)

"Through it all, I could talk to Peter one on one about positions or issues, and I found him to be professional in all his dealings."

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"In negotiations especially in high profile matters, sometimes the dynamics of the negotiators matter. What could have been even a more high pressure controversial superheated negotiation came to fruition because of the team dynamics. And that had a lot to do with Peter Wright."

On earlier EPA concerns over Dow actions: **"The record speaks for itself. The EPA took action to take it from state lead to Superfund. And from 2007 or so we decided to take a different path."**

On background from Robert Kaplan: **There is nothing about "lead negotiator." I hope the reporter used what we said about Peter's role. He was not Dow's overall lead. He was their lead LEGAL counsel. That's important in characterizing the role appropriately.**

Background on Dioxin from the EPA Office of Research and Development and Office of Land and Emergency Management:

The study cited in Mr. Wright's 13-year old article was the basis for EPA's health effects study on dioxin. Since then EPA finalized its non-cancer science assessment for dioxin in 2012. The findings showed that generally, over a person's lifetime, current exposure to dioxins does not pose a significant health risk.

Over the past several years EPA has worked to reduce emissions from all of the major industrial sources of dioxins. As a result of efforts by EPA, state governments and industry, known and measurable air emissions of dioxins in the United States have been reduced by 90 percent from 1987 levels. The largest remaining source of dioxin emissions is backyard burning of household trash. Most Americans have low-level exposure to dioxins. The non-cancer health assessment for dioxin could be considered in a range of agency activities, from establishing cleanup levels at Superfund sites, to reviewing the dioxin drinking water standard as part of EPA's regularly scheduled review process, to evaluating whether additional Clean Air Act limits on dioxin emissions are warranted.

Background on Peter Wright:

Peter Wright was born in Connecticut and raised in Los Angeles, CA. Before Dow, he worked as an attorney at Bryan Cave LLP and the Monsanto Company. He began his legal career with the environmental practice group of Baker & Daniels (now Fagre Baker and Daniels).

Background on Peter Wright's work:

The Dow Chemical Company's Midland Plant is a manufacturing facility that began operations in 1897. The facility is located on 1,900 acres abutting the Tittabawassee River. The past disposal of various chemicals at the facility resulted in high levels of dioxins and furans in the Tittabawassee River and downstream in the Saginaw River and Bay, as well as on the facility and in the City of Midland.

Pursuant to a Resource Conservation and Recovery Act (RCRA) permit issued by the Michigan Department of Environmental Quality (MDEQ), Dow had been conducting corrective actions, including extensive facility investigations and interim response activities to address the dioxins and furans at the Midland Plant and off-site. As the MDEQ-supervised RCRA corrective action remedial investigations progressed, EPA and MDEQ recognized that investigations and early actions to protect public health would benefit from federal resources, in addition to MDEQ's RCRA resources. After evaluating the facility, EPA and MDEQ agreed that CERCLA authority could be used to complete off-site cleanup work on the river systems and floodplains, while the RCRA corrective action program focused on off-site corrective action in the City of Midland and on-site corrective action for the Midland Plant site. Splitting the lead agency responsibilities allowed more work to occur concurrently.

Between 2007 and 2009, Dow conducted six time-critical removals under CERCLA authority, with EPA oversight. Mr. Peter Wright was Dow's lead counsel in the negotiation of the six settlements under which these cleanups were performed. EPA, MDEQ, and Dow entered into a settlement in 2010 for Remedial Investigation, Feasibility Study and/or Engineering Evaluation and Cost Analysis, and Response Design work (2010 ASAOC) which has provided the basis for

AMERICAN OVERSIGHT

further settlements to conduct non-time critical removal actions in the Tittabawassee River and its floodplain. Mr. Wright was Dow's lead counsel in the negotiation of the 2010 ASAOC. Between 2010 and 2017, EPA and Dow entered into seven separate CERCLA settlements under which Dow performed non-time-critical CERCLA removal actions at the site. Mr. Wright was Dow's lead counsel in the negotiation of the seven settlements under which these cleanups were performed. During this same timeframe, off-site cleanup was completed in the City of Midland under the RCRA permit and Mr. Wright was also legal counsel for this work.

More information about the CERCLA cleanup at the Tittabawassee River, Saginaw River & Bay Site is available on EPA's website at https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0503250.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/24/2018 10:14:06 PM
To: Brooks, Becky [Brooks.Becky@epa.gov]
Subject: FW: Here's the draft
Attachments: Peter Wright recusal before CD.docx; Dow Dupont Revised 6_18_2018 - Final (004).xlsx

Becky

Attached is the list that should go along with the recusal statement. Thank you for distributing. Please also send to James Hewitt.

Peter

From: Fugh, Justina
Sent: Tuesday, July 24, 2018 2:24 PM
To: Wright, Peter <wright.peter@epa.gov>
Subject: Here's the draft

Hi Peter,
I apologize for my delay in getting this to you, but as I indicated, **Ex. 6 Personal Privacy (PP)** **Ex. 6 Personal Privacy (PP)** I've been out of the office a few days and have not been able to review this draft to get it to you. That said, I know that you have assiduously abided by the ethics strictures since joining EPA, which this draft reflects. We have put this recusal on "blank" letterhead since you are not yet officially assigned to OLEM. We've also set up the screeners to be both Barry Breen and Steve Cook, but you can change that if you want.

After you sign and date it, please ask someone to pdf the final to me for distribution.
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/24/2018 7:17:52 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Here's the draft

Justina

Thank you for your assistance and scrambling to make the reporter's deadline.

Peter

From: Fugh, Justina
Sent: Tuesday, July 24, 2018 2:40 PM
To: Wright, Peter <wright.peter@epa.gov>
Subject: RE: Here's the draft

I just talked to James and he knows it's coming and why it's being signed today (because I was tardy in getting it to you). So I can send it to him or you can. Either way is fine as he already got a note from me explaining that any delay is my fault and that you've been assiduously abiding by the terms anyway.

From: Wright, Peter
Sent: Tuesday, July 24, 2018 2:35 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Here's the draft

Justina

I have signed it and it is being scanned and will be sent to you for distribution. Can I assume it is okay to provide a scanned copy to James Hewitt so that he might provide it to a reporter.

Peter

From: Fugh, Justina
Sent: Tuesday, July 24, 2018 2:24 PM
To: Wright, Peter <wright.peter@epa.gov>
Subject: Here's the draft

Hi Peter,
I apologize for my delay in getting this to you, but as I indicated, **Ex. 6 Personal Privacy (PP)** **Ex. 6 Personal Privacy (PP)** I've been out of the office a few days and have not been able to review this draft to get it to you. That said, I know that you have assiduously abided by the ethics strictures since joining EPA, which this draft reflects. We have put this recusal on "blank" letterhead since you are not yet officially assigned to OLEM. We've also set up the screeners to be both Barry Breen and Steve Cook, but you can change that if you want.

After you sign and date it, please ask someone to pdf the final to me for distribution.

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Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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Appointment

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/22/2019 9:05:37 PM
To: Lopez, Peter [lopez.peter@epa.gov]
CC: Frye, Tony (Robert) [frye.robert@epa.gov]

Subject: Declined: Conference Call with RA Pete Lopez R2, AA Joseph Brazauskas/OCIR and Special Counsel Peter Wright/OLEM re: Diamond Alkali/Passaic River
Location: RA conference Room - Dial in: Ex. 6 Personal Privacy (PP)

Start: 7/22/2019 9:00:00 PM
End: 7/22/2019 9:30:00 PM
Show Time As: Busy

Pete

I will decline this matter as I am recused from working on this site.

Peter

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/24/2018 1:12:21 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Recusal Statement

Justina

I do not recall receiving a copy of my recusal statement.

Peter

AMERICAN OVERSIGHT

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/29/2019 9:06:23 PM
To: Kenely, Caroline [Kenely.Caroline@epa.gov]
Subject: Please Print on Stationary
Attachments: Peter Wright updated recusal 7_19_19.docx

Caroline

I need to sign and send this to Ethics.

Thank you.

Peter

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/19/2018 2:34:34 AM
To: Block, Molly [block.molly@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]
Subject: Re: FOR APPROVAL: RE: R5 draft press release to announce $26.6 million RCRA cleanup at DuPont in E. Chicago -TBA 8AM, Fri., 7/20

All

I am recused from working on DuPont matters due to the Dow DuPont merger. I will not review or comment.

Peter

Sent from my iPhone

On Jul 18, 2018, at 5:07 PM, Block, Molly <block.molly@epa.gov> wrote:

> Please review the press release attached from Region 5 on the cleanup for the DuPont/Chemours RCRA site in East Chicago. Please let me know if you have any questions or edits. Thank you!
>
> Note from the Region: Our press release needs to go out no later than 8 AM on Friday because the City of East Chicago is issuing a press release at 9AM Ex. 5 Deliberative Process (DP)
>
> **Ex. 5 Deliberative Process (DP)**
>
> <DUPONT RELEASE 7-18.approvedDRAFT mb.docx>

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Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 7/30/2018 11:56:13 PM
To: Cook, Steven [cook.steven@epa.gov]
Subject: Re: Monthly Superfund Deletions Report

Steven

I would think so. I am an inclined to clarify with Justina that I am not recused from hearing publicly available information.

Peter

Sent from my iPhone

On Jul 30, 2018, at 7:42 PM, Cook, Steven <cook.steven@epa.gov> wrote:

<image001.gif>
Can we add you to this email list without worry on recusals? It is mostly public information and is about process.

From: Hovis, Jennifer
Sent: Monday, July 30, 2018 1:59 PM
To: Cook, Steven <cook.steven@epa.gov>
Cc: Falvo, Nicholas <falvo.nicholas@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Leonard, Paul <leonard.paul@epa.gov>; Gervais, Gregory <Gervais.Gregory@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Gartner, Lois <Gartner.Lois@epa.gov>; Fitz-James, Schatzi <Fitz-James.Schatzi@epa.gov>; Jennings, Robert <Jennings.Robert@epa.gov>; Barr, Pamela <Barr.Pamela@epa.gov>; Sands, Charles <Sands.Charles@epa.gov>; Norris, Rich <Norris.Rich@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Duteau, Helen <Duteau.Helen@EPA.GOV>; Colip, Matthew <colip.matthew@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Schutz, Michelle <Schutz.Michelle@epa.gov>; Fiedler, Linda <Fiedler.Linda@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>
Subject: Monthly Superfund Deletions Report

Good afternoon, Steven:

Please find attached the monthly update to the data on deletions and partial deletions planned at National Priorities List sites in FY2018. This report is shared with Task Force leadership at the end of each month.

We have accomplished 7 full site deletions and 1 partial deletion thus far in FY18. There are currently 13 additional actions that have at least opened a public comment period and are now in various phases of processing. The report shows when the comment period closed/will close, which helps give a sense of when we can expect more of these actions to take effect. There are still three more sites where OSRTI has concurred on deletion but the Notice of Intent has not yet been published in the Federal Register;

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these are less likely to take effect in FY18. We will continue to work quickly as the comment period closes on all of these actions.

Please let us know if you have any questions, or if you would like any additional information regarding the deletion process to help decipher the report.

<><><><><><><><><><><><><><><><><><><>

JEN HOVIS
Chief, Construction & Post Construction Management Branch (CPCMB)
Office of Superfund Remediation & Technology Innovation (OSRTI)
desk: 703.603.8888 | cell: 571.814.0303 | hovis.jennifer@epa.gov

<FY2018 Planned Deletion.7.30.2018.pdf>

AMERICAN OVERSIGHT

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

July 5, 2019

The Honorable Susan M. Collins
413 Dirksen Senate Office Building
Washington, DC 20510

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

Dear Senator Collins,

Thank you for your letter providing me the opportunity to discuss the recusal process at EPA and the very popular and important Brownfields program.

Well before the President announced my nomination as EPA's Assistant Administrator for Solid Waste (now named Land and Emergency Management), EPA leadership contacted me about my interest in serving in the position and began a rigorous vetting process, which included questions about my qualifications, work history, and education, among other inquiries to ensure the nomination would be appropriate for the Agency and for me. Part of that process involved the early introduction to and evaluation by career ethics attorneys at the Agency to determine if there were potential matters before the Agency I may oversee that would be, appear to be, or have the potential of being a conflict of interest.

During that process, I consulted and met with career ethics officials to ensure that I fully understood my ethical obligations. Through that process, EPA leadership and career ethics officials were able to determine any and the extent of my recusals due to my previous work history leading to my nomination. Subsequently, I reviewed and signed a recusal statement drafted by EPA's career ethics attorneys and have taken those recusals very seriously. I diligently continue to ensure my actions are consistent with that statement. I have also ensured compliance with Agency ethics training, as required by 5 C.F.R. § 2634.304, which was completed during my initial ethics training for new employees. This session was conducted in person by the Alternate Designated Agency Ethics Official, who provided specific advice about the limitations applicable to my employment. I am enclosing a copy of my signed recusal statement and Trump Administration Ethics Pledge. I have not sought nor intend to seek any waivers under the Trump Ethics Pledge or the financial conflict of interest statutes. I commit to continuing to follow the guidance of EPA career ethics officials with respect to recusals as well as following the ethical obligations that apply to me as a member of the Michigan bar.

Thank you for the opportunity to discuss the Brownfields program as well. It is a popular and important program because it works to bring public and private sector investment into remediating and providing the opportunity for redevelopment and new economic opportunity for contaminated properties. I am a strong supporter of the Brownfields program and commit to you

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to continue to support this important program. EPA has a prioritized focus on remediating contaminated properties in our communities through the Brownfields program and other remedial programs. The Agency's cleanup programs provide one of the most tangible ways communities can see EPA at work, accomplishing its mission to protect human health and the environment. I am eager to have the opportunity to lead that work.

Should I be confirmed for the position of Assistant Administrator for the Office of Land and Emergency Management, I will confirm the trust that you and your colleagues in the U.S. Senate would place in me. I would look forward to working with you and your staff on any issues that may arise within my office to ensure the Agency is responsive and helpful to you, your staff, and the State of Maine.

Sincerely,

Peter C. Wright
Senior Counsel to the Administrator

Enclosures

AMERICAN OVERSIGHT

Message

Sent: 8/20/2019 3:23:55 PM
To: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: Note to Superfund DDs on Recusal

Nick –
Thanks for the draft. Below is what I would propose that you send out to the SEM and LCARD division directors.
Dear Colleagues,

In an effort to meet our ethics obligations, please ensure that when sending site-specific information to the OLEM AA and/or OLEM Immediate Office, you check Peter Wright's recusal list before sending,

For Superfund sites: if there is specific information for a site on the recusal list, please do not include Peter Wright on the email. Please do include in the email a note that you are leaving him off because he is recused. We've attached Peter's most recent recusal list for your information. This recusal list will be in place until July 8, 2020. After that, a more limited list of sites will still be subject to recusal. We will circulate an updated list at that time.

For RCRA (current operating sites) – Peter is recused from specific matters involving DowDuPont sites, including subsidiaries and spin offs, for two years (until July 8, 2020). If you need to send site specific information to the OLEM AA or I/O please follow the same protocol as above.

Thank you in advance for your help,

From: Hilosky, Nick <Hilosky.Nick@epa.gov>
Sent: Monday, August 19, 2019 4:47 PM
To: Cook, Steven <cook.steven@epa.gov>
Subject: Note to Superfund DDs on Recusal

Hi Steven,
Here is a short note, as discussed. Let me know if this works and what your thoughts were on sending it out…are you sending or…?
Thanks,
Nick

To: OLEM SF Reg DDs OLEMSFRegDDs@epa.gov; LCARD?
CC: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>
Subject: Reminder of Peter Wright's Recusals

Dear Colleagues,

This is just a reminder when sending information to the OLEM AA and/or OLEM Immediate Office, to be sure to reference Peter Wright's recusal list for any site-specific information being set up. If there is a pertinent site and it is on the list, please do not include Peter Wright. Please do include a note that you are leaving him off because he is recused. We've attached Peter's most recent recusal list for your information.

Thank you in advance for your help,

AMERICAN OVERSIGHT

Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
Sent: 8/19/2019 8:46:36 PM
To: Cook, Steven [cook.steven@epa.gov]
Subject: Note to Superfund DDs on Recusal
Attachments: Wright_Dow_DuPont_6-22_Revised.xlsx

Hi Steven,
Here is a short note, as discussed. Let me know if this works and what your thoughts were on sending it out…are you sending or…?
Thanks,
Nick

To: OLEM SF Reg DDs OLEMSFRegDDs@epa.gov; LCARD?
CC: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>
Subject: Reminder of Peter Wright's Recusals

Dear Colleagues,

This is just a reminder when sending information to the OLEM AA and/or OLEM Immediate Office, to be sure to reference Peter Wright's recusal list for any site-specific information being set up. If there is a pertinent site and it is on the list, please do not include Peter Wright. Please do include a note that you are leaving him off because he is recused. We've attached Peter's most recent recusal list for your information.

Thank you in advance for your help,

AMERICAN OVERSIGHT

Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
Sent: 8/21/2019 4:41:30 PM
To: Cook, Steven [cook.steven@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]
Subject: Re: Updated Agenda for R5 visit

Yup checking back.
Nick

Sent from my iPhone

On Aug 21, 2019, at 12:24 PM, Cook, Steven <cook.steven@epa.gov> wrote:

> Nick & Becky – can we confirm that all is set in R5 for next week?
>
> **From:** Hilosky, Nick <Hilosky.Nick@epa.gov>
> **Sent:** Friday, August 16, 2019 2:54 PM
> **To:** Thiede, Kurt <thiede.kurt@epa.gov>; Ross, Anthony <ross.anthony@epa.gov>
> **Cc:** Brooks, Becky <Brooks.Becky@epa.gov>
> **Subject:** Updated Agenda for R5 visit
>
> Hi Kurt and Anthony,
> Ok – here's the new feedback. Sorry if it causes a lot of moving around of the draft schedule. We realized Peter and Steven are actually free on Tuesday after Noon. So rather than squeeze everything in on Wednesday they were suggesting we add some items to Tuesday afternoon. I have highlighted the changes below. Let me know if this works and feel free to tweak it as needed.
>
> Thanks,
> Nick
>
> Nicholas J. Hilosky
> Special Assistant
> Office of Land and Emergency Management
> US Environmental Protection Agency
> 1200 Pennsylvania Avenue N.W.
> Washington, DC 20460
> ph: 202-566-1942; fax: 202-566-0207
> mobile: 202-368-0724
>
> **SUGGESTED DRAFT AGENDA**
>
> **Tuesday, August 27, 2019**
>
> **Division Meetings (from 1pm-5pm) (any order or day that works for R5)**
>
> **1:00pm-3:00pm** 2-hour block for LCARD*
> - Reports from each office on current activities, what is working well and what needs improvement (60 min)
> - Gemba walk to visual management efforts (30 min)

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- Discussion with AA on priorities and expectations (30 min)

*Pre-read materials should include org charts and report (no more than 2-pages on funding levels, FTEs and any other metrics being tracked). Should also include description of any workshare arrangements with States. Graphs and charts will work. List of any regional lead RCRA corrective action sites, 3008(h) and 3013 order sites and federal RCRA permit sites.

3:00pm-5:00pm 2-hour block for Superfund & Emergency Management**

- Reports from each office on current activities, what is working well and what needs improvement (60 min)
- Gemba walk to visual management efforts (30 min)
- Discussion with AA on priorities and expectations (30 min)

**Pre-read materials should include org charts and report (no more than 2-pages on funding levels, FTEs and any other metrics being tracked). Graphs and charts will work. List of current removal actions.

Wednesday, August 28, 2019

8:30 am – Meet and Greet with SFD and LCRD Leadership Teams & Tour of Incident Command Area (TBD)

9:00 am – Amphenol Briefing (RA Large Conf Room)***

9:45 am – Break

10:15 am – West Vermont Briefing (RA Large Conf Room)***

11:00 am – SFD and LCRD All-Hands Meeting (Lake Michigan)

12:00 pm – Lunch with Peter, Steven, Cathy, Doug, Ed and Cheryl (Berghoff)

1:30 pm – SFD Briefing (Large Conf Room)***

- St. Louis Park, MN
- St. Regis
- New Jersey Zinc
- USS Lead – Peter is recused from this site; Separate briefing with Steven Cook.

3:00 pm – Meeting with Doug Ballotti and Tom Short (TBD)

3:30 pm – Meeting with Cathy (Cathy's Office)

4:00 pm – Adjourn

*** Pre-read materials: site background and facts – assume that we have read the material and we can start with any questions we have on the materials and then go straight to the issues at hand.
Have map of site available during the discussion.

From: Thiede, Kurt <thiede.kurt@epa.gov>
Sent: Friday, August 16, 2019 9:54 AM
To: Hilosky, Nick <Hilosky.Nick@epa.gov>
Cc: Ross, Anthony <ross.anthony@epa.gov>
Subject: RE: Regional visit

AMERICAN OVERSIGHT

Thanks Nick,

Please include our special assistant Anthony Ross. He will be coordinating the final agenda.

Kurt

From: Hilosky, Nick
Sent: Friday, August 16, 2019 8:53 AM
To: Thiede, Kurt <thiede.kurt@epa.gov>
Subject: RE: Regional visit

Hi Kurt – actually there's going to be some additional feedback from Peter and Steven – I'll circle back this afternoon.
Thanks!
Nick

From: Hilosky, Nick
Sent: Friday, August 16, 2019 9:04 AM
To: Thiede, Kurt <thiede.kurt@epa.gov>
Subject: RE: Regional visit

Thanks Kurt!

From: Thiede, Kurt <thiede.kurt@epa.gov>
Sent: Thursday, August 15, 2019 6:29 PM
To: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: Regional visit

Nick,

Sounds good…we will make these changes and get a final agenda back to you tomorrow.

Thanks,
Kurt

From: Hilosky, Nick
Sent: Thursday, August 15, 2019 4:06 PM
To: Thiede, Kurt <thiede.kurt@epa.gov>
Cc: Williams, Felicia <Williams.Felicia@epa.gov>; Ross, Anthony <ross.anthony@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: Regional visit

Hi Kurt,
Becky is out so I am following up after discussing with Peter and Steven. They'd like to add 15 mins onto the 11:30am All-hands (and take the time from the 8:30am or 9am timeframes, if possible). Also, note that Peter is recused from USS Lead so we propose striking that from one of the SFD Briefings at 1:30pm. Otherwise looks good.

Let me know if you need anything else for now.
Nick

AMERICAN OVERSIGHT

Nicholas J. Hilosky
Special Assistant
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

From: Brooks, Becky <Brooks.Becky@epa.gov>
Sent: Tuesday, August 13, 2019 10:41 PM
To: Thiede, Kurt <thiede.kurt@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Williams, Felicia <Williams.Felicia@epa.gov>; Ross, Anthony <ross.anthony@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>
Subject: Re: Regional visit

Thank you so much. We will follow up with Peter and Steven.

Sent from my iPhone

On Aug 13, 2019, at 5:42 PM, Thiede, Kurt <thiede.kurt@epa.gov> wrote:

> Becky,
>
> Here is a proposed agenda for Peter and Steven to consider…we are certainly open to their suggestions if they would like to see changes. I've cc'ed Anthony Ross, our Special Asst. who can help with logistics for the visit. And, Felicia Williams, Cathy's Exec Asst. can provide feedback on directions, building access, etc.
>
> Kurt
>
> **DRAFT AGENDA**
>
> **Wednesday, August 28, 2019**
>
> 8:30 am – Meet and Greet with SFD and LCRD Leadership Teams & Tour of Incident Command Area (TBD)
>
> 9:00 am – Amphenol Briefing (RA Large Conf Room)
>
> 10:00 am – Break
>
> 10:30 am – West Vermont Briefing (RA Large Conf Room)
>
> 11:30 am – SFD and LCRD All-Hands Meeting (Lake Michigan)
>
> 12:00 pm – Lunch with Peter, Steven, Cathy, Doug, Ed and Cheryl (Berghoff)
>
> 1:30 pm – SFD Briefing (Large Conf Room)
> - St. Louis Park, MN
> - St. Regis

AMERICAN OVERSIGHT

- USS Lead
- New Jersey Zinc

3:00 pm – Meeting with Doug Ballotti and Tom Short (TBD)

3:30 pm – Meeting with Cathy (Cathy's Office)

4:00 pm – Adjourn

From: Brooks, Becky
Sent: Monday, August 12, 2019 12:11 PM
To: Thiede, Kurt <thiede.kurt@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: Regional visit

Thanks, Kurt. Starting tomorrow afternoon, I will be out of the office for the rest of the week. However, I will be checking emails a couple of times a day. Totally understandable if you need a few days to work with folks. I can let Peter know that we've been in touch. Thanks again. Becky

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Thiede, Kurt <thiede.kurt@epa.gov>
Sent: Monday, August 12, 2019 11:34 AM
To: Brooks, Becky <Brooks.Becky@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Re: Regional visit

Thanks for touching base Becky, let me work with folks here to get you connected with an agenda and logistics. I'll have something for you by tomorrow.

Kurt Thiede
Chief of Staff
EPA Region 5

Sent from my iPhone...please excuse my typos.

On Aug 12, 2019, at 10:23 AM, Brooks, Becky <Brooks.Becky@epa.gov> wrote:

> Hi Kurt – What time would you like Peter and Steven to be at the regional office on August 28? Should we work directly with Ed and Doug on their schedules or will they be part of the meeting with the RA, DRA, and you? We would like to provide Peter and Steven with an agenda. This will also help us pin down what flight they should be on in the afternoon or evening.

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If there are any building security processes that we need to know, if you or someone can pass those along, too, that would be great. Thank you.
Becky

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Thiede, Kurt <thiede.kurt@epa.gov>
Sent: Monday, August 05, 2019 2:06 PM
To: Brooks, Becky <Brooks.Becky@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Williams, Felicia <Williams.Felicia@epa.gov>; Newton, Cheryl <Newton.Cheryl@epa.gov>; Short, Thomas <short.thomas@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>; Jones, MarjorieA <jones.marjorieA@epa.gov>; Nam, Ed <nam.ed@epa.gov>
Subject: RE: Regional visit

Becky,

The 28th works well for the RA, the DRA and I. We look forward to hosting Peter and Steven.

Kurt

From: Ballotti, Doug
Sent: Monday, August 5, 2019 12:31 PM
To: Brooks, Becky <Brooks.Becky@epa.gov>; Thiede, Kurt <thiede.kurt@epa.gov>; Jones, MarjorieA <jones.marjorieA@epa.gov>; Nam, Ed <nam.ed@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Williams, Felicia <Williams.Felicia@epa.gov>; Newton, Cheryl <Newton.Cheryl@epa.gov>; Short, Thomas <short.thomas@epa.gov>
Subject: RE: Regional visit

Hi Becky,

I'm out of the office at the moment, but we'll certainly accommodate (in Superfund) what works best for Peter and Steven. I'll let the RA's office let you know Cathy's and Cheryl's availability.

Thanks. Doug

From: Brooks, Becky
Sent: Monday, August 05, 2019 12:03 PM
To: Thiede, Kurt <thiede.kurt@epa.gov>; Jones, MarjorieA <jones.marjorieA@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>

AMERICAN OVERSIGHT

Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: Regional visit

Peter now has a tentative meeting at the WH on August 26, so August 28 would be better, if that works for the region. Thank you. Becky

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Brooks, Becky
Sent: Monday, August 05, 2019 7:12 AM
To: Thiede, Kurt <thiede.kurt@epa.gov>; Jones, MarjorieA <jones.marjorieA@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Regional visit

Good morning. Peter Wright and Steven Cook will be in Chicago for the NARPM meeting on August 27 and are interested in doing a visit to the regional office on either August 26 or 28. Do either of those dates work for the Regional Administrator and Deputy Regional Administrator? Ed and Doug, they will also want to meet with you and potentially others in the Superfund and Emergency Management Division and the Land, Chemicals, & Redevelopment Division, if possible.

Please let me know folks' availability. Thank you. Becky

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

AMERICAN OVERSIGHT

Message

From: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Sent: 7/25/2018 1:47:12 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: Superfund PRP / recusal list that was created for Andrew Wheeler
Attachments: Copy of Dow Dupont NPL sites with Listing Date - as of 2_20_2018.xlsx

Here is the list I was provided.

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

From: Grantham, Nancy
Sent: Wednesday, July 25, 2018 9:39 AM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Superfund PRP / recusal list that was created for Andrew Wheeler

I know that he had asked for this and that it was created. Can you send to me asap – so we have it for press questions/purposes.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

AMERICAN OVERSIGHT

Message

From: Woolford, James [Woolford.James@epa.gov]
Sent: 1/28/2019 4:07:45 PM
To: Chancellor, Erin [chancellor.erin@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Ballotti, Doug [ballotti.douglas@epa.gov]
Subject: Re: 01 14 2019 EPA East Chicago WCH Comment Period Due Mlopez.pdf

Thanks. Had not seen.

Sent from my iPhone

On Jan 28, 2019, at 10:39 AM, Chancellor, Erin <chancellor.erin@epa.gov> wrote:

> Not sure who all received this, but please see attached (FYSA did not include Peter on this email as he is recused).
>
> Hope everyone is having a good first day back!
>
> Thanks,
>
> **Erin E. Chancellor**
> Chief of Staff | Office of the Regional Administrator
> U.S. EPA Region 6
> 214.665.2112 (o) | 214.601.1292 (c)
> chancellor.erin@epa.gov
>
> **From:** Maritza Lopez <mari.ml798@gmail.com>
> **Sent:** Tuesday, January 15, 2019 12:00 AM
> **To:** Chancellor, Erin <chancellor.erin@epa.gov>
> **Cc:** Maritza Lopez <mari.ml798@gmail.com>
> **Subject:** 01 14 2019 EPA East Chicago WCH Comment Period Due Mlopez.pdf
>
> <01 14 2019 EPA WCH Comment Period Dued Mlopez.pdf>

AMERICAN OVERSIGHT

To: Cook, Steven[cook.steven@epa.gov]; Woolford, James[Woolford.James@epa.gov]; Fonseca, Silvina[Fonseca.Silvina@epa.gov]; Ballotti, Doug[ballotti.douglas@epa.gov]
From: Chancellor, Erin[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AE6AEABECA754643BDB01C9F5B653CA6-CHANCELLOR,]
Sent: Mon 1/28/2019 3:39:13 PM (UTC)
Subject: FW: 01 14 2019 EPA East Chicago WCH Comment Period Due Mlopez.pdf
01 14 2019 EPA WCH Comment Period Dued Mlopez.pdf

Not sure who all received this, but please see attached (FYSA did not include Peter on this email as he is recused).

Hope everyone is having a good first day back!

Thanks,

Erin E. Chancellor
Chief of Staff | Office of the Regional Administrator
U.S. EPA Region 6
214.665.2112 (o) | 214.601.1292 (c)
chancellor.erin@epa.gov

From: Maritza Lopez <mari.ml798@gmail.com>
Sent: Tuesday, January 15, 2019 12:00 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>
Cc: Maritza Lopez <mari.ml798@gmail.com>
Subject: 01 14 2019 EPA East Chicago WCH Comment Period Due Mlopez.pdf

AMERICAN OVERSIGHT

Message

From: Hoverman, Taylor [hoverman.taylor@epa.gov]
Sent: 4/23/2019 9:03:41 PM
To: Cook, Steven [cook.steven@epa.gov]
Subject: FW: Peter Wright's Recusal
Attachments: Dow Dupont Rohm- Final 3_28_2019.xlsx

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Darwin, Veronica
Sent: Friday, March 29, 2019 10:50 AM
To: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: FW: Peter Wright's Recusal

Find attached Peter's recusal list for discussion during the call with OSRE – not sure if that's been scheduled. I'd like to attend, please. David F's recusal list is pending because he's been here two years at the end of March and the recusal scope will change. Thanks.

Veronica

From: Gardner, Monica
Sent: Thursday, March 28, 2019 4:31 PM
To: Darwin, Veronica <darwin.veronica@epa.gov>
Cc: DeLeon, Rafael <Deleon.Rafael@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>
Subject: FW: Peter Wright's Recusal

Veronica,
Attached is the information you asked for regarding Peter's recusals. Let me know if you have questions or need anything else.

Monica

Monica Gardner, Director
Policy and Program Evaluation Division
Office of Site Remediation Enforcement
Office of Enforcement and Compliance Assurance
202-564-6053

AMERICAN OVERSIGHT

Message

From: Falvo, Nicholas [falvo.nicholas@epa.gov]
Sent: 7/20/2018 4:09:30 PM
To: Chancellor, Erin [chancellor.erin@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Cook, Steven [cook.steven@epa.gov]
Subject: RE: Follow up on a few items

In regards to Peter's recusals and the DD emails/recaps, I have asked Nick H and Becky to scrub the emails and then send on to Peter. Do we have an internal list of his recusals and I can avoid that step?

From: Chancellor, Erin
Sent: Friday, July 20, 2018 12:07 PM
To: Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: RE: Follow up on a few items

Thanks Silvina! I don't have an answer on the briefings, but I did talk to Henry this week and you're correct- Henry will be the go-to for any sites Andrew is conflicted out of Ex. 5 Deliberative Process (DP)

Something to note that y'all likely have already thought of (but a little reminder never hurt anyone) – when we send out this kind of email and include Peter, we need to be mindful of his conflicts. Nick if you're adding him to the DD call recap email distribution list, I guess you may just need to do a separate email for him each time? List is attached to this email for easy access.

Thanks,

Erin E. Chancellor

From: Fonseca, Silvina
Sent: Friday, July 20, 2018 11:26 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Follow up on a few items

Good morning:

Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Ex. 5 Deliberative Process (DP)

AEL – I would like to release the new update on July 30. Should have a final draft list for you today. Once we finalize I will work with OPA and OLEM Comms to release.

Briefings for Andrew and Henry on decisions >$50M - Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) I am trying to get clarification. Hopefully on Monday I can get more clarity on this issue.

Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

Message

From: Chancellor, Erin [chancellor.erin@epa.gov]
Sent: 7/20/2018 4:07:24 PM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Falvo, Nicholas [falvo.nicholas@epa.gov]
Subject: RE: Follow up on a few items
Attachments: Dow Dupont NPL sites with Listing Date - as of 2_20_2018.xlsx

Thanks Silvina! I don't have an answer on the briefings, but I did talk to Henry this week and you're correct- Henry will be the go-to for any sites Andrew is conflicted out of Ex. 5 Deliberative Process (DP)

Something to note that y'all likely have already thought of (but a little reminder never hurt anyone) – when we send out this kind of email and include Peter, we need to be mindful of his conflicts. Nick if you're adding him to the DD call recap email distribution list, I guess you may just need to do a separate email for him each time? List is attached to this email for easy access.

Thanks,

Erin E. Chancellor

From: Fonseca, Silvina
Sent: Friday, July 20, 2018 11:26 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Follow up on a few items

Good morning:

Ex. 5 Deliberative Process (DP)

AEL – I would like to release the new update on July 30. Should have a final draft list for you today. Once we finalize I will work with OPA and OLEM Comms to release.

Briefings for Andrew and Henry on decisions >$50M - **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) I am trying to get clarification. Hopefully on Monday I can get more clarity on this issue.

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Silvina Fonseca
Special Assistant
Office of the Administrator
U.S. Environmental Protection Agency
Desk: 202.564.1955
Cell: 202.306.6844

AMERICAN OVERSIGHT

Message

From: Chancellor, Erin [chancellor.erin@epa.gov]
Sent: 7/31/2018 9:53:37 PM
To: Cook, Steven [cook.steven@epa.gov]
Subject: Vertac, Inc. Superfund Site - Documents for Friday's Call
Attachments: Vertac, Inc. - Background.docx; Post-ROD ARAR Changes.docx; 1991 ARARs Q&As.pdf; 1997 ARARs and PRGs.pdf; 2001 Comprehensive FYR Guidance.pdf

FYI, Peter is recused. I put together a backgrounder, and R6 sent over some Five-Year Review/ARAR info. If you want more info before the call, please let me know.

Thanks,

Erin E. Chancellor
Counsel to the Administrator
U.S. Environmental Protection Agency
(202) 566-1757 (office)
(202) 731-2835 (cell)
chancellor.erin@epa.gov

AMERICAN OVERSIGHT

Message

From: Chancellor, Erin [chancellor.erin@epa.gov]
Sent: 8/3/2018 7:09:48 PM
To: Cook, Steven [cook.steven@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: Fwd: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

Erin E. Chancellor

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: August 3, 2018 at 2:08:28 PM CDT
To: "Fonseca, Silvina" <Fonseca.Silvina@epa.gov>, "Harwood, Jackie" <Harwood.Jackie@epa.gov>, "Chancellor, Erin" <chancellor.erin@epa.gov>, "Benjamin, Kent" <Benjamin.Kent@epa.gov>
Subject: FW: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

This is what we sent to the reporter thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Konkus, John
Sent: Friday, August 03, 2018 3:03 PM
To: Corbin Hiar <chiar@eenews.net>; Press <Press@epa.gov>
Subject: RE: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

Corbin:

Off the record: The answer to your question is **no**. I would hope you would report this story straight and not try and find a conspiracy where none exists. That is not fair to the program or the communities trying to clean up these sites.

On the record: Each revision of the Administrator's Emphasis List identifies the milestone associated with the Superfund site that needs to be achieved to move the site forward in the cleanup process and ultimately off the Administrator's Emphasis List.

For example on today's list:

- At Allied Paper, Inc./Portage Creek/Kalamazoo River, the stated upcoming milestone was to complete the time critical removal action in Area 3 of Operable Unit 5 to address the Otsego Township Dam. That work has been completed.

- At Casmalia Resources, the upcoming milestone was to make a final cleanup decision for the Site and issue a Record of Decision, which was signed on June 28, 2018. Completion of these stated milestones prompted removing the sites from the Administrator's Emphasis List.

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- Additionally, Proposed Plans were issued for the American Cyanamid Co., Ventron/Velsicol (aka Berry's Creek) and B.F. Goodrich Sites.

- At the Centredale Manor Restoration Project and Delaware Sand and Gravel Landfill Sites agreements were reached with the potentially responsible parties.

- At the Mississippi Phosphates Corporation Site an action memorandum to conduct a non-time critical removal was signed on April 18, 2018.

On background:

The July revision of the Administrator's Emphasis List identifies those sites that Acting Administrator Andrew Wheeler and Special Counsel Peter Wright are recused from engagement and involvement.

From: Corbin Hiar [mailto:chiar@eenews.net]
Sent: Friday, August 3, 2018 1:28 PM
To: Press <Press@epa.gov>
Subject: FW: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

Were the Allied Paper, Inc./Portage Creek/Kalamazoo River and Casmalia Resources Superfund sites removed from the Administrator's emphasis list because Administrator Wheeler is recused from working on them? If not, what specific goals, objectives, and milestones were achieved for those sites that warranted their removal?

What are the other sites Administrator Wheeler and his adviser Peter Wright are recused from working on?

Please get back to me with more information by 3:15 p.m., when I plan to file a story.

Thanks, C

From: EPA Press Office <noreply-subscriptions@epa.gov>
Sent: Friday, August 03, 2018 1:17 PM
To: Corbin Hiar <chiar@eenews.net>
Subject: Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

AMERICAN OVERSIGHT

Acting Administrator Wheeler Updates Administrator's Superfund Emphasis List

Eight Sites Come Off List

WASHINGTON (August 3, 2018) - Today, the U.S. Environmental Protection Agency (EPA) released the next revision of the Administrator's Emphasis List of Superfund Sites Targeted for Immediate, Intense Action. Eight sites (**Centredale Manor Restoration Project, American Cyanamid Co., Ventron/Velsicol [aka Berry's Creek]+, Delaware Sand & Gravel Landfill+, B.F. Goodrich, Mississippi Phosphates Corporation, Allied Paper, Inc./Portage Creek/Kalamazoo River*, and Casmalia Resources*+**) have been removed from the Administrator's Emphasis List, as the specific goals, objectives, and milestones associated with these sites have been achieved due to the direct involvement of Acting Administrator Andrew Wheeler and former EPA Administrator Scott Pruitt. With this update, there are a total of 14 Superfund sites on the list.

"Today's announcement reflects EPA's continued progress accelerating Superfund sites through the cleanup process and returning them to communities for productive use," said Acting EPA Administrator Wheeler. **"As we remove these eight sites from the Administrator's Emphasis List, we continue to look for opportunities at other sites where intense action is appropriate."**

In the time since the second Administrator's Emphasis List was released in April 2018, settlements were successfully negotiated, Consent Decrees were signed by potentially responsible parties, several proposed cleanup plans were released for public comment, time critical removal actions were completed, a non-time- critical removal action plan was signed and initiated and a Record of Decision was issued.

The Administrator's Emphasis List is composed of sites identified by Acting Administrator Wheeler and the Regions that will benefit from the Acting Administrator's immediate and intense action. The list is intended to be dynamic, with sites being moved on and off the list as needed. EPA anticipates revising the list quarterly

Background

The initial list and last revision were released on December 8, 2017 and April 16, 2018, respectively, in direct response to recommendations from the Superfund Task Force. It is anticipated that this list will be revised quarterly.

EPA remains dedicated to addressing risks at all Superfund sites, not just those on the Administrator's Emphasis List. The Superfund Task Force Recommendations are aimed at expediting cleanup at all Superfund sites, and Acting Administrator Wheeler is continuing the expectation that there will be a renewed focus on accelerating work and progress at Superfund sites across the country.

On the one-year anniversary of the EPA's Superfund Task Force Report, EPA announced significant progress in carrying out the Superfund Task Force's recommendations. These achievements will provide certainty to communities, state partners, and developers that the nation's most hazardous sites will be cleaned up as quickly and safely as possible and have potential for future beneficial use.

EPA's new "Superfund Task Force Recommendations 2018 Update" is available at:
https://www.epa.gov/superfund/superfund-task-force-recommendations-2018-update

The Superfund Task Force, whose work is ongoing, has five overarching goals:

- Expediting cleanup and remediation;
- Reinvigorating cleanup and reuse efforts by potentially responsible parties;
- Encouraging private investment to facilitate cleanup and reuse;

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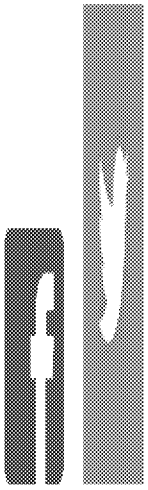
- Promoting redevelopment and community revitalization; and
- Engaging with partners and stakeholders.

The Superfund Task Force will provide the public with regular updates as it makes progress on the Administrator's Emphasis List and other Superfund Task Force activities.

Acting Administrator Andrew Wheeler and Special Counsel Peter Wright have appropriately recused themselves from participating in any of these particular matters that involve any of their former clients or former employers in the preceding two years.

*Acting Administrator Andrew Wheeler is recused from these sites. All decisions, engagement, and involvement at these sites will be made by Chief of Operations Henry Darwin.

+Special Counsel Peter Wright is recused from these sites.



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

AMERICAN OVERSIGHT

Message

From: Darwin, Veronica [darwin.veronica@epa.gov]
Sent: 2/27/2019 4:38:15 PM
To: Cook, Steven [cook.steven@epa.gov]; Doyle, Brett [doyle.brett@epa.gov]
Subject: RE: Draft AEL - Request for a meeting
Attachments: AEL 2.27.2019 ALL SITES Internal.docx

I heard back from R6 yesterday afternoon, thanks to Jim Woolford. Find attached the latest version of the AEL based on feedback received from all regions. Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) I will send this document to the rest of the HQ team in OLEM and OECA so they can start reviewing it. The three of us are scheduled to meet tomorrow am. The plan would be to follow with a meeting with the rest of the team. I will send Peter a separate list sans the sites from which he's recused.

Please let me know if you have any questions/concerns. Thanks.

Veronica

From: Darwin, Veronica
Sent: Monday, February 25, 2019 8:22 PM
To: Cook, Steven <cook.steven@epa.gov>
Subject: Re: Draft AEL - Request for a meeting

I am waiting to hear back from Carl. Haven't heard from him at all.

Sent from my iPhone

On Feb 25, 2019, at 8:14 PM, Cook, Steven <cook.steven@epa.gov> wrote:

> Ex. 5 Deliberative Process (DP)
>
> Sent from my iPhone
>
> On Feb 25, 2019, at 6:40 PM, Darwin, Veronica <darwin.veronica@epa.gov> wrote:
>
> > Hi there,
> > Find attached the draft compilation of AEL updated entries pulled from the bi-weekly call notes and a few entries received from the regions. Ex. 5 Deliberative Process (DP)
> >
> > **Ex. 5 Deliberative Process (DP)**
> >
> > I'd like to have a short meeting to discuss when the next update should be posted. There is not much in the way of completed milestones thus far. Brett – do you mind setting that up? I'm happy to go to either of your offices. Thank you.
> >
> > Veronica

AMERICAN OVERSIGHT

Veronica G. Darwin
Senior Advisor for Human Health and Safety
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
darwin.veronica@epa.gov
Office: (202) 564-7527
Cell: (202) 579-4280

<AEL 2.25.2019 ALL SITES Internal.docx>

AMERICAN OVERSIGHT

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/25/2018 12:43:22 PM
To: Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: Dow Dupont Revised 6_18_2018 - Final (004).xlsx

Can a get a hard copy for easier reference? Thanks.

-----Original Message-----
From: Brooks, Becky
Sent: Wednesday, July 25, 2018 6:59 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Subject: Dow Dupont Revised 6_18_2018 - Final (004).xlsx

Attached is the list that goes with Peter Wright's recusal statement that I sent you yesterday.

AMERICAN OVERSIGHT

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 3/2/2019 8:43:33 PM
To: Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: FW: >$50 million list updated
Attachments: Potential RODs Over 50M 2-11-19.xlsx; Potential RODs Over 50M 2-11-19-wright recusal.xlsx; Potential RODs Over 50M 2-11-19 - wheeler recusal.xlsx

Taylor – You can use this to crosscheck your work with Silvina. Not sure if need two separate tracking documents. We can talk when you get back.

From: Woolford, James
Sent: Wednesday, February 13, 2019 9:39 AM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Ammon, Doug <Ammon.Doug@epa.gov>; Poore, Christine <Poore.Christine@epa.gov>; Gervais, Gregory <Gervais.Gregory@epa.gov>; Burchette, John <Burchette.John@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; DeLeon, Rafael <Deleon.Rafael@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>; Fitz-James, Schatzi <Fitz-James.Schatzi@epa.gov>; Jennings, Robert <Jennings.Robert@epa.gov>
Subject: FW: >$50 million list updated

Steven and Barry

Attached are 3 files for the >$50 M remedies.

There is a Master file (Potential RODs Over 50M 2-11-19. Xlsx) and there is a file that excludes sites that Peter is recused from and one for where Andrew is recused.

Within each file, there are tabs where OSRTI has the lead, and then where other offices (FFRRO and OEM) has the lead.

We have captured key milestones to help in our management of the process.

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)

Our mission is to return the most contaminated areas of the country to communities for safe reuse in a healthy environment.

Phone: (703) 603 8960– Main Office Line

Physically located at:

AMERICAN OVERSIGHT

Room 5622
One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

AMERICAN OVERSIGHT

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 9/24/2018 10:47:22 PM
To: Woolford, James [Woolford.James@epa.gov]
Subject: RE: a tale of three rivers

Just marvelous – any way to suggest alternate 2019 goal? ☺

From: Woolford, James
Sent: Monday, September 24, 2018 6:45 PM
To: Cook, Steven <cook.steven@epa.gov>
Subject: RE: a tale of three rivers

I knew that – the original title was "two rivers" but now there are 3. And if you go deep enough into Virginia you'll come across the traffic nightmare near Falls Church called 7 corners – which is what you think it is.

My goal is to exceed. Keeping up the with the Johnson's and all that. ☺

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
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One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

From: Cook, Steven
Sent: Monday, September 24, 2018 6:40 PM

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To: Woolford, James <Woolford.James@epa.gov>
Subject: RE: a tale of three rivers

Having been born in Pittsburgh, this is not the three rivers that first came to mind. Thanks for putting this together. You are starting to rival ORCR on volume at this point.

From: Woolford, James
Sent: Monday, September 24, 2018 6:33 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Cc: Stalcup, Dana <Stalcup.Dana@epa.gov>; Barr, Pamela <Barr.Pamela@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Greenberg, Marc <Greenberg.Marc@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>; Ammon, Doug <Ammon.Doug@epa.gov>; Fitz-James, Schatzi <Fitz-James.Schatzi@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Libelo, Laurence <Libelo.Laurence@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; DeLeon, Rafael <Deleon.Rafael@epa.gov>; Patterson, Kenneth <Patterson.Kenneth@epa.gov>
Subject: FW: a tale of three rivers

Barry/Steven:

Attached for your information (and reading enjoyment) is a deeper dive into the sediment remedies at Portland Harbor, Passaic and Hudson Rivers.

Ex. 5 Deliberative Process (DP)

I did not include Peter bcz of his recusal on PH and Passaic.

If we end up briefing Andrew on sediment remedies and Superfund sites, I would like to share this information in some form.

Happy to discuss this in further detail at your convenience.

Thanks

Jim Woolford, Director
Office of Superfund Remediation and Technology Innovation
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Penn. Ave., NW
Washington, DC 20460
(Mail Code 5201-P)

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AMERICAN OVERSIGHT

Phone: (703) 603 8960– Main Office Line

Physically located at:

Room 5622
One Potomac Yard (South)
2777 S. Crystal Dr.
Arlington, VA 22202

From: Greenberg, Marc
Sent: Tuesday, September 18, 2018 5:09 PM
To: Woolford, James <Woolford.James@epa.gov>
Cc: Gartner, Lois <Gartner.Lois@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Libelo, Laurence <Libelo.Laurence@epa.gov>; Ammon, Doug <Ammon.Doug@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>
Subject: RE: a tale of two rivers

Jim,

Ex. 5 Deliberative Process (DP) Thanks for your patience as we worked this out. Please feel free to contact Karl or me if you have any questions.

Thanks,
Marc

Marc S. Greenberg, Ph.D.
Deputy Branch Chief
U.S. EPA - Environmental Response Team
OLEM/OSRTI/TIFSD/ERT

2890 Woodbridge Ave., Bldg. 205
Edison, NJ 08837
+1 (732) 452 6413 office
Ex. 6 Personal Privacy (PP) mobile
greenberg.marc@epa.gov

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 4/22/2019 6:59:18 PM
To: Hill, Teresa [Hill.Teresa@epa.gov]
Subject: FW: Materials for the Superfund NPL and AEL Meeting
Attachments:

Ex. 5 Deliberative Process (DP)

Importance: High

Teresa –

Please print a copy of these attachments.

Thanks

From: Hilosky, Nick
Sent: Thursday, April 18, 2019 3:25 PM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Doyle, Brett <doyle.brett@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: Materials for the Superfund NPL and AEL Meeting
Importance: High

FYI – here is what we sent up for the Superfund NPL and AEL tomorrow. I am sending a separate note to Peter since he is recused from some sites.
Thanks,
Nick

Nicholas J. Hilosky
Special Assistant
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/3/2018 2:30:13 AM
To: Leopold, Matt (OGC) [Leopold.Matt@epa.gov]
CC: Fotouhi, David [Fotouhi.David@epa.gov]
Subject: Re: Memo request

Appreciate this.

Question - if signature authority has been delegated from Administrator to OLEM AA can we redo that to his position?

I will try and corral the delegations for OLEM and pass them along.

Sent from my iPhone

On Jul 2, 2018, at 8:34 PM, Leopold, Matt (OGC) <Leopold.Matt@epa.gov> wrote:

> Steve, here is the interim answer. We are working on formalizing this.
>
> **From:** Minoli, Kevin
> **Sent:** Monday, July 2, 2018 7:34 PM
> **To:** Leopold, Matt (OGC) <Leopold.Matt@epa.gov>
> **Cc:** Packard, Elise <Packard.Elise@epa.gov>
> **Subject:** RE: Memo request
>
> Not sure whether our previous conversation gave you what you needed here, but here is the bottom line:
>
> The limitation on him is that he cannot serve as the Acting AA. Because there are no duties that are exclusive to the OLEM AA position, however, that does not limit the matters he can be responsible for. What limits that are two things: 1) The responsibilities in his PD, and 2) Any relevant delegations of authority. If OLEM provides us a copy of his PD and any relevant delegations of authority (those delegating responsibility for a type of matter to a position other than his) we can provide more details on the limitations that currently exist due to them. Both can be updated to provide him authority for any OLEM matters as none of them are exclusive to the AA position.
>
> Kevin
>
> **Kevin S. Minoli**
> Principal Deputy General Counsel
> & Designated Agency Ethics Official
> Office of General Counsel
> US Environmental Protection Agency
> Main Office Line: 202-564-8064
>
> > **From:** Leopold, Matt (OGC)
> > **Sent:** Monday, July 02, 2018 4:47 PM
> > **To:** Minoli, Kevin <Minoli.Kevin@epa.gov>

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Cc: Packard, Elise <Packard.Elise@epa.gov>
Subject: FW: Memo request
Importance: High

Kevin, OLEM has asked for a memo on what roles Peter Wright can fulfil while awaiting confirmation. Can we provide something by Thursday?

Thanks, Matt

From: Cook, Steven
Sent: Monday, July 2, 2018 9:03 AM
To: Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: Memo request

Any progress on the memo regarding the limits on Peter Wright's participation in meetings while awaiting confirmation?

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 8/19/2019 11:26:38 PM
To: Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: RE: Last Batch of Site Specific Fact Sheets
Attachments: **Ex. 5 Deliberative Process (DP)**

Taylor –

Will send Portland Harbor separately to help remind you not to pass along to Peter due to recusal.

This will complete my review.

SDC

From: Hoverman, Taylor <hoverman.taylor@epa.gov>
Sent: Monday, August 19, 2019 5:55 PM
To: Cook, Steven <cook.steven@epa.gov>
Subject: Last Batch of Site Specific Fact Sheets

Taylor Hoverman
Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/29/2019 7:21:02 PM
To: Lopez, Peter [lopez.peter@epa.gov]
Subject: Re: Michael Warren's Emphasis List story:

Pete -
Appreciate the heads up. Ex. 6 Personal Privacy (PP) so I will not be able to participate in the call. I get back to work Thursday afternoon.

Steven

Sent from my iPhone

On Jul 29, 2019, at 7:01 PM, Lopez, Peter <lopez.peter@epa.gov> wrote:

> Hi My Friend.
>
> In believe we are good for now. Will be debriefing (tomorrow)from a public engagement session last week. More work/ tasks will likely follow from that meeting. We would be happy to have you join in if your schedule permits.
>
> Call is tomorrow at 4 pm EST.
>
> RA conference room - Ex. 6 Personal Privacy (PP) Conference ID: Ex. 6 Personal Privacy (PP)
>
> On a separate note, just copied you on some correspondence from Ontario, Canada re: Grasse River.
>
> Sincerely,
> Pete
>
> Pete Lopez
> Regional Administrator
> US EPA-Region 2
> 290 Broadway
> New York, NY 10007
> (212) 637-5000
> (917) 376-2190 (cell)
>
> On Jul 24, 2019, at 10:10 PM, Cook, Steven <cook.steven@epa.gov> wrote:
>
> > My good friend from the North -
> >
> > Need anything more on the Passaic issue?
> >
> > Steven
> >
> > Sent from my iPhone
> >
> > On Jul 19, 2019, at 5:33 PM, Wright, Peter <wright.peter@epa.gov> wrote:

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Pete

I am recused from working on the Passaic and so I have had not part in any deliberations with respect to its placement on the AEL. I am copying Steven for his reference.

I appreciate that you sent a public document that demonstrates how removal from (and has in the past placement on) the Administrator's Emphasis List can be misconstrued.

Have a great weekend.

Peter

From: Lopez, Peter
Sent: Friday, July 19, 2019 5:22 PM
To: Wright, Peter <wright.peter@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>
Subject: Fwd: Michael Warren's Emphasis List story:

Gentlemen.

Article on Passaic. The Senator took this unfortunate tone, despite the informational emails we sent to Zach McHue of the Senator's office.

Please call me.

Sincerely,
Pete

Pete Lopez
Regional Administrator
US EPA-Region 2
290 Broadway
New York, NY 10007
(212) 637-5000
(917) 376-2190 (cell)

Begin forwarded message:

> **From:** "Mears, Mary" <Mears.Mary@epa.gov>
> **Date:** July 19, 2019 at 11:14:50 AM EDT
> **To:** "Lopez, Peter" <lopez.peter@epa.gov>, "Lyon, Christopher" <lyon.christopher@epa.gov>, "Mugdan, Walter" <Mugdan.Walter@epa.gov>
> **Subject: Michael Warren's Emphasis List story:**
>
> See article below.
>
> Mary Mears
> U.S. EPA Region 2
> Public Affairs Director
> (212) 637-3673 (office)

AMERICAN OVERSIGHT

(646) 369-0077 (cell)

From: Rodriguez, Elias
Sent: Friday, July 19, 2019 11:10 AM
To: Mears, Mary <Mears.Mary@epa.gov>
Subject: Michael Warren's Emphasis List story:

'The Passaic River is N.J.'s biggest crime scene': Booker blasts EPA over pollution progress

Today, July 19, 2019 10:15 AM

By Michael Sol Warren / NJ Advance Media for NJ.com

On the Passaic River, the path to decontamination is slow going.

A roughly 17-mile-long stretch of the North Jersey waterway, from Newark Bay to just south of the Dundee Dam in Garfield, is one of the most polluted sites in America. Buried in the mud and sediment and the bottom of the river and along the riverbanks are a variety of toxic chemicals left behind by decades of industrial dumping. To this day, people are warned not to eat any fish caught in the river.

"The people of New Jersey can't use what should be one of their greatest natural resources because it was stolen from them by corporate greed years ago," said U.S. Sen. Cory Booker, D-N.J. "I've said it before and I will say it again: the Passaic River is New Jersey's biggest crime scene."
The stretch of river is referred to as the Diamond Alkali site, named after the company that one produced Agent Orange on its banks in Newark's Ironbound neighborhood and has been on the federal Superfund list since 1984. In the decades since, physical removal of the contamination from the river has come in stages. On Monday, the U.S. Environmental Protection Agency touted the achievement of a procedural step in the cleanup process as a key milestone. But Booker and local environmental advocates withheld their praise, and instead expressed concern that a process which has dragged on for 35 years is still years away from the finish.

The milestone

The EPA announced on Monday that the Diamond Alkali site had been removed from what is called the Administrator's Emphasis List: a select bunch of Superfund sites that receive personal attention from the head of the agency.

The emphasis list was a creation of former EPA Administrator Scott Pruitt, and the Diamond Alkali site was placed on the list in December 2017. The goal was to complete a remedial investigation — which is a

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characterization and assessment of pollution — for the upper nine miles of the site.
It's an important step, according to Michael Sivak, the EPA's chief of the Passaic, Hackensack River/Newark Bay Remediation Branch. He explained that while there is a plan in place for cleaning the lower eight miles of the river, that work risks being negated if pollution in the upper nine miles is able to simply wash downstream and recontaminate the site.

Completing the investigation of the upper nine mile section now allows the EPA to develop a cleanup plan for that stretch of river that can be done concurrently with the work on the lower eight miles, Sivak said.

That investigation was completed in June. EPA Regional Administrator Pete Lopez stressed that the river is still a Superfund site and that cleanup work will be able to progress now that the assessment of the upper nine miles is complete.

"It's in no way, shape or form a diminution of the importance of the Passaic," Lopez said.

'No logical reason'

That's not how Booker sees it.

The Democratic Senator and presidential candidate balked at the idea that the polluted river would be removed from the emphasis list.

"There is no logical reason that because one milestone has been completed, the site is no longer on the EPA Administrator's emphasis list," Booker said. "Every single step in the comprehensive clean-up of the Passaic should be a priority for the EPA and not until the river can be returned to the people should the Administrator de-emphasize the project."

Booker isn't alone. NY/NJ Baykeeper, an environmental group that sits on the community advisory group for the Diamond Alkali site, was surprised to find out that the site was coming off of the emphasis list, according to Baykeeper Greg Remaud. He said that the EPA's rationale may be legitimate, but it doesn't change the fact that much work still needs to be done.
"The bottom line is the cleanup hasn't begun and they're not in the water removing sediment," Remaud said. "Until that happens, we're going to be very concerned."

The road ahead

Sivak said the EPA is pursuing an "aggressive" schedule in moving forward with the Passaic River cleanup. He said the goal is to have a plan for the upper nine miles selected by the fall of 2020, which is also when the EPA should be ready to start physically cleaning the lower eight miles.

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The total cost for cleaning the entire 17-mile stretch of the Passaic is expected to cost $1.4 billion, all of which is supposed to be paid for by the companies responsible for the pollution.
The EPA secured a $165 million settlement in 2016 from Occidental Chemical Corporation, just one of the polluters, to fund some of the work on the lower eight miles. Sivak said that negotiations will begin soon to determine what other companies will pay — and how much — for the lower eight miles. He added that it is premature to negotiate costs for the upper nine miles at this point.
But mystery swirls around one of the river's worst polluters — Maxus Energy Corp., the company responsible for dumping carcinogens like dioxin into the Passaic as it produced Agent Orange under the company's former name, Diamond Alkali.

Maxus is a subsidiary of Argentina's state-owned oil company, YPF S.A. In 2016, YPF declared bankruptcy for Maxus in a move that lawmakers blasted as an attempt to dodge its share of cleanup costs.
New Jersey's pension has $18 million invested in YPF as of last year, when Gov. Phil Murphy vetoed a bill that would have stopped the pensionfrom investing in companies that declare bankruptcy as a possible way to evade Superfund cleanup and companies that hold substantial shares in those companies.

https://www.nj.com/news/2019/07/the-passaic-river-is-njs-biggest-crime-scene-booker-blasts-epa-over-pollution-progress.html

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 2/22/2019 7:10:12 PM
To: Beach, Christopher [beach.christopher@epa.gov]
CC: Darwin, Veronica [darwin.veronica@epa.gov]
Subject: RE: RE: Portland Harbor

Possible substitute – and ....

Ex. 5 Deliberative Process (DP)

From: Beach, Christopher
Sent: Friday, February 22, 2019 1:10 PM
To: Cook, Steven <cook.steven@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>
Subject: RE: RE: Portland Harbor

Steve, there's an issue with the section highlighted below. Can you give me a quick call about this? We need to figure out something else to say.

From: Cook, Steven
Sent: Thursday, February 21, 2019 5:38 PM
To: Beach, Christopher <beach.christopher@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>
Subject: RE: RE: Portland Harbor

Chris – the paragraph below is from AAW's briefing book for the Western Gov. meeting. It is very similar to the first paragraph of the QFR. These hit our key themes.

Ex. 5 Deliberative Process (DP)

Note – Peter has been removed from the list.

From: Wright, Peter
Sent: Thursday, February 21, 2019 5:32 PM
To: Beach, Christopher <beach.christopher@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>
Subject: RE: RE: Portland Harbor

Chris

I am recused from Portland Harbor and so I will drop out of this communication chain. Steven knows all about it.

Peter

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From: Beach, Christopher
Sent: Thursday, February 21, 2019 5:19 PM
To: Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>
Subject: FW: RE: Portland Harbor

AAW is speaking to the Western Govs Association on Sunday and he wants to mention our Superfund progress and throw in a line or two about Portland Harbor since Gov Brown will be there. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Frye, Tony (Robert)
Sent: Thursday, February 21, 2019 12:59 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>
Cc: Rodrick, Christian <rodrick.christian@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: RE: RE:

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

Tony Frye
Special Advisor
Office of Congressional Affairs
Environmental Protection Agency

[1] The toxicological review available in EPA's Integrated Risk Information System (IRIS). https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=329750

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Cell: 202.603.3225

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/31/2018 10:07:02 PM
To: Chancellor, Erin [chancellor.erin@epa.gov]
Subject: Re: Vertac, Inc. Superfund Site - Documents for Friday's Call

Good - more reading while my flight keeps getting deferred later and later

Sent from my iPhone

> On Jul 31, 2018, at 5:53 PM, Chancellor, Erin <chancellor.erin@epa.gov> wrote:
>
> FYI, Peter is recused. I put together a backgrounder, and R6 sent over some Five-Year Review/ARAR info. If you want more info before the call, please let me know.
>
> Thanks,
>
> Erin E. Chancellor
> Counsel to the Administrator
> U.S. Environmental Protection Agency
> (202) 566-1757 (office)
> (202) 731-2835 (cell)
> chancellor.erin@epa.gov<mailto:chancellor.erin@epa.gov>
>
> <Vertac, Inc. - Background.docx>
> <Post-ROD ARAR Changes.docx>
> <1991 ARARs Q&As.pdf>
> <1997 ARARs and PRGs.pdf>
> <2001 Comprehensive FYR Guidance.pdf>

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 9/24/2018 4:20:10 PM
To: Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [hilosky.nick@epa.gov]
Subject: RE: CORRECTION: Request for availability

Becky/Nick – I am fine with going forward with this discussion. Can you verify if Peter is recused or can attend?

From: Joseph, Aiysha D. [mailto:Aiysha_Joseph@americanchemistry.com]
Sent: Monday, September 24, 2018 10:26 AM
To: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: CORRECTION: Request for availability

Good Morning,

Apologies for the delay in responding. We can decrease the meeting time from 2 hours to 75 minutes, and push the meeting into October for better availability. The following will be discussed:

- Our 2040 Circular Economy goals to recycle or recover 100% of plastics packaging by 2040
- Tracking via EPA's Advancing Sustainable Materials Management report
- role of new technologies in helping the plastics industry achieve its goals
- EPA's role in transitioning to a more circular economy, and
- How this all relates to the global issue of plastics in the marine environment

Let me know your availability and I will coordinate our staff calendars to schedule a meeting time.

Thank you,
Aiysha

Aiysha Joseph | American Chemistry Council
Executive Assistant, Plastics Division
O: 202.249.6621

From: Cook, Steven [mailto:cook.steven@epa.gov]
Sent: Monday, September 10, 2018 6:56 PM
To: Joseph, Aiysha D. <Aiysha_Joseph@americanchemistry.com>; Breen, Barry <Breen.Barry@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: CORRECTION: Request for availability

Aiysha –

Thanks for the clarification, 2-hour calls are tough. Also, finding 2-hour blocks on the calendar in September is also very difficult. Can you provide some more detail on the content and agenda?

Thanks

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management

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U.S. Environmental Protection Agency
202-566-0609

From: Joseph, Aiysha D. [mailto:Aiysha_Joseph@americanchemistry.com]
Sent: Monday, September 10, 2018 4:01 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Subject: CORRECTION: Request for availability

Good Afternoon,

My apologies, I have recently learned that the request is for a face-to-face meeting.
Steve and Craig are willing to come to you and meet at your offices.

Thank you and I look forward to hearing from you both.
Best,
Aiysha

Aiysha Joseph | American Chemistry Council
Executive Assistant, Plastics Division
O: 202.249.6621

From: Joseph, Aiysha D.
Sent: Monday, September 10, 2018 2:33 PM
To: 'Breen.Barry@epa.gov' <Breen.Barry@epa.gov>; 'cook.steven@epa.gov' <cook.steven@epa.gov>
Subject: Request for availability

Good Afternoon,

Steve Russell and Craig Cookson of ACC would like to schedule a meeting to discuss Plastic Recovery.
At your earliest convenience, please send your availability for a 2 hour call the week of September 17 and 24.

Feel free to contact me with any questions or concerns.
Thank you,
Aiysha

Aiysha Joseph | American Chemistry Council
Executive Assistant, Plastics Division
aiysha_joseph@americanchemistry.com
700 2nd Street, NE | Washington, DC | 20002
O: 202.249.6621 F: 202.379.9741
www.americanchemistry.com/plastics
www.plasticsmakeitpossible.com
America's Plastics Makers™

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/31/2018 8:02:03 PM
To: Chancellor, Erin [chancellor.erin@epa.gov]
Subject: Re: September Portland Harbor Meeting Requests

Understand. **Ex. 6 Personal Privacy (PP)**

Sent from my iPhone

On Jul 31, 2018, at 3:29 PM, Chancellor, Erin <chancellor.erin@epa.gov> wrote:

> FYI CHEJ wants to move their meeting b/c some people don't like traveling on 9/11 so will be emailing about that soon.
>
> Erin E. Chancellor
>
> ---
>
> **From:** Falvo, Nicholas
> **Sent:** Tuesday, July 31, 2018 3:28 PM
> **To:** Cook, Steven <cook.steven@epa.gov>
> **Cc:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>
> **Subject:** September Portland Harbor Meeting Requests
>
> Two different requests:
> First request from Cliff Rothenstein, representing T4, on either September 13, 14, 19, or 20th. Cliff would like to also bring in Susan Bodine, Jim Woolford, and Cyndy Mackey. Looking at everyone's availability on scheduling assistant, the best times seem to be:
> Sept 14th after 10:00-noon or after 1:00.(Jim's entire day is blocked.)
> Sept 19th from 10:00-12 or 2:00-3pm
> Sept 20th from 10-11; 3:00-4 (potential conflicts with Jim and Cyndy).
>
> Second request from Elliott Laws representing NW Natural Gas asking for an introductory meeting with Steven to discuss their role at Portland Harbor. They are asking for September 10 or the morning of the 11th.
> Sept 10 from 11:00am-2pm.
> Sept 11 from 10:30-2pm (when CHEJ comes in).
>
> As a reminder, Peter is recused on the site.
>
> Let me know what works for everyone and I'll set something up.
>
> ~naf
>
> Nicholas Falvo
> Environmental Protection Agency
> Office of the Administrator
> Falvo.Nicholas@epa.gov
> Office: (202) 564-5075
> Cell: (202) 760-0581

AMERICAN OVERSIGHT

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 4/1/2019 2:29:32 PM
To: Hoverman, Taylor [hoverman.taylor@epa.gov]
Subject: RE: Portland Harbor, Maine

See Holly's latest - there is a fact sheet out there with some mention. Looks like our Brownfields folks may be involved with funding.

-----Original Message-----
From: Hoverman, Taylor
Sent: Monday, April 1, 2019 10:28 AM
To: Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>
Subject: RE: Portland Harbor, Maine

Yes, will do.

Taylor Hoverman
Policy Counsel to the Assistant Administrator Office of Land and Emergency Management U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

-----Original Message-----
From: Cook, Steven
Sent: Monday, April 1, 2019 10:27 AM
To: Wright, Peter <wright.peter@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: RE: Portland Harbor, Maine

Taylor - Rep. Pingree is from Maine. Can you check with Region 1 and see what these dredging comments might reference?

Steven

-----Original Message-----
From: Wright, Peter
Sent: Monday, April 1, 2019 10:23 AM
To: Greaves, Holly <greaves.holly@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>; Hoverman, Taylor <hoverman.taylor@epa.gov>
Subject: Re: Portland Harbor, Maine

Holly

I expect this is Portland Harbor in Oregon. If so I am recused but there should be materials. I am copying Steven and Taylor. If it is Maine I had no idea there was an issue.

Peter

Sent from my iPhone

> On Apr 1, 2019, at 9:56 AM, Greaves, Holly <greaves.holly@epa.gov> wrote:
>
> GM Peter,
>
> The dredging at this site is an issue important to Rep. Pingree, but I don't see anything in our binder on this issue (unless I've missed it). Can you point me to something we have or prepare a few points in case she raises it tomorrow?
>
> Thanks!
> Holly
>
> Sent from my iPhone

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 11/5/2018 8:42:11 PM
To: Darwin, Veronica [darwin.veronica@epa.gov]
Subject: RE: Updated AEL - All Sites

Peter was on the meeting invite – he is planning on coming so we need to excuse him on his two sites.

From: Darwin, Veronica
Sent: Monday, November 5, 2018 1:32 PM
To: Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Worthman, Gary <Worthman.Gary@epa.gov>; Patterson, Kenneth <Patterson.Kenneth@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Gardner, Monica <Gardner.Monica@epa.gov>
Subject: RE: Updated AEL - All Sites

Find attached the revised ALL SITES table and AAW Not Recused table. The first five columns of the ALL SITES table will become the public facing AEL update. The AAW Not Recused table will be used for this afternoon's briefing with AAW. Let me know if you have any questions or if I missed something. Thank you.

Veronica

From: Mackey, Cyndy
Sent: Monday, November 5, 2018 11:52 AM
To: Darwin, Veronica <darwin.veronica@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Worthman, Gary <Worthman.Gary@epa.gov>; Patterson, Kenneth <Patterson.Kenneth@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Peterson, Mary <Peterson.Mary@epa.gov>; Gardner, Monica <Gardner.Monica@epa.gov>
Subject: RE: Updated AEL - All Sites

Veronica

The attached document contains a few minor edits, including

Ex. 5 Deliberative Process (DP)

Call me if you have questions. Thanks

Cyndy Mackey
Director, Office of Site Remediation Enforcement
EPA-Office of Enforcement and Compliance Assurance (Mail Code-2271A)
1200 Pennsylvania Ave., N.W. (Room-WJC 5206) Washington, DC 20460
202 564-8206 (Direct Line)
202 564-5110 (Office Line)

AMERICAN OVERSIGHT

202 591-6184(Office Cell)

This email is for the intended recipient only and may contain material that is privileged and/or confidential. If you believe you have received this email in error, please notify the sender. Thank you

From: Darwin, Veronica
Sent: Friday, November 02, 2018 3:32 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Worthman, Gary <Worthman.Gary@epa.gov>; Patterson, Kenneth <Patterson.Kenneth@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: Updated AEL - All Sites

Please review this version. Thanks to Cindy for super quick feedback!

Veronica

From: Darwin, Veronica
Sent: Friday, November 2, 2018 2:56 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Worthman, Gary <Worthman.Gary@epa.gov>; Patterson, Kenneth <Patterson.Kenneth@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Updated AEL - All Sites

Find attached the updated list per our discussion this morning. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions/concerns. Thanks a million for all the help. It's much appreciated.

Have a great weekend.
V.

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 8/6/2019 8:38:32 PM
To: Keller, Melanie [Keller.Melanie@epa.gov]
Subject: RE: URGENT -- FOR QUICK REVIEW by 4pm: OLEM response to HEC TA Request re: OUs at Portland Harbor

This works as is.

From: Keller, Melanie <Keller.Melanie@epa.gov>
Sent: Tuesday, August 6, 2019 4:25 PM
To: Cook, Steven <cook.steven@epa.gov>
Subject: RE: URGENT -- FOR QUICK REVIEW by 4pm: OLEM response to HEC TA Request re: OUs at Portland Harbor

Yes, I cross-checked your edits with Jim and Barry's edits with Jim.

Here was the final.

We may be able to edit if needed ---

Ex. 5 Deliberative Process (DP)

Melanie C. Keller

US Environmental Protection Agency
Congressional Liaison – OLEM/OCPA
(202) 566-2772 – office
(202) 897-9357 – mobile
keller.melanie@epa.gov

From: Cook, Steven <cook.steven@epa.gov>
Sent: Tuesday, August 06, 2019 4:20 PM
To: Keller, Melanie <Keller.Melanie@epa.gov>
Subject: RE: URGENT -- FOR QUICK REVIEW by 4pm: OLEM response to HEC TA Request re: OUs at Portland Harbor

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Did this go out?

From: Keller, Melanie <Keller.Melanie@epa.gov>
Sent: Tuesday, August 6, 2019 1:50 PM
To: Hoverman, Taylor <hoverman.taylor@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Re: URGENT -- FOR QUICK REVIEW by 4pm: OLEM response to HEC TA Request re: OUs at Portland Harbor

Yes, can do. Thank you.

Sent from my iPhone

Melanie C. Keller

Congressional Liaison
Office of Land and Emergency Management
U.S. Environmental Protection Agency

(202) 566-2772 - desk
(202) 897-9357 - mobile

On Aug 6, 2019, at 1:47 PM, Hoverman, Taylor <hoverman.taylor@epa.gov> wrote:

> Melanie,
>
> Below are some edits that Steven and I made for clarity. Can you please run this language by Jim to see if he's OK with it? Thank you in advance!
>
> (Please note I've removed Peter from the chain given his recusal from this site.)

Ex. 5 Deliberative Process (DP)

Taylor Hoverman

AMERICAN OVERSIGHT

Policy Counsel to the Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
O: 202-566-2705
C: 202-494-3662

From: Keller, Melanie <Keller.Melanie@epa.gov>
Sent: Tuesday, August 6, 2019 11:35 AM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hoverman, Taylor <hoverman.taylor@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: URGENT -- FOR QUICK REVIEW by 4pm: OLEM response to HEC TA Request re: OUs at Portland Harbor
Importance: High

Good morning,

Ex. 5 Deliberative Process (DP)

Thank you,
Melanie

Q: I understand that for at least a decade, EPA has been splitting their more complex sites into Operable Units (OUs) or separate, smaller and more manageable sites – but this does not necessarily apply to river cleanups. Why is the Portland Harbor not split up into OUs/ separate and smaller and more manageable sites?

What is the Agency's reason for treating the entire site as one singular site? Would the cleanup agreements or their enforcement be compromised by creating OUs here?

Ex. 5 Deliberative Process (DP)

Melanie C. Keller

US Environmental Protection Agency
Congressional Liaison – OLEM/OCPA
(202) 566-2772 – office
(202) 897-9357 – mobile

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keller.melanie@epa.gov

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 9/25/2018 11:07:12 PM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
Subject: FW: ADMIN TRAVEL DOCS REQUEST- Due Thursday COB

You got this?

From: Wright, Peter
Sent: Tuesday, September 25, 2018 3:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Subject: RE: ADMIN TRAVEL DOCS REQUEST- Due Thursday COB

Tate

We will get you a briefing paper on the Wyckoff Superfund Site on Bambridge Island. I will have to check to see if I am recused from that site, in which case I will not see the briefing paper.

Peter

From: Bennett, Tate
Sent: Tuesday, September 25, 2018 3:04 PM
To: Ross, David P <ross.davidp@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; McDonough, Owen <mcdonough.owen@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Woods, Clint <woods.clint@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; McIntosh, Chad <mcintosh.chad@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Molina, Michael <molina.michael@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: RE: ADMIN TRAVEL DOCS REQUEST- Due Thursday COB

All- notice the tribe addition and change of Superfund site on the 3rd. OLEM- can you pivot and focus on the Brambridge Island site backgrounder instead?

Acting Administrator Wheeler Visit to Region 10
October 3-4, 2018

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

From: Bennett, Tate
Sent: Monday, September 24, 2018 5:37 PM
To: Ross, David P <ross.davidp@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; McDonough, Owen <mcdonough.owen@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Woods, Clint <woods.Clint@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>;

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McIntosh, Chad <mcintosh.chad@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Molina, Michael <molina.michael@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: ADMIN TRAVEL DOCS REQUEST- Due Thursday COB

Good evening-

The Acting Administrator will be making a swing out west next week to Washington State on the 3rd and 4th and will doing a quick speech in Wyoming on the 5th. I will follow-up separately on the needed materials for Wyoming (if any- quick speech that Chris Beach is covering), but here is the agenda for the larger Washington State visit the 3rd and 4th.

Action items- HQ Programs- can you please provide background materials (bulleted, one-pagers) on the following topics **by this Thursday the 27th of September** at COB. Topics are highlighted for your office and please include any others that you deem are warranted but not listed.

Chris/ Michelle in R10- HQ staff will be submitting these docs but will be asking for R10's help and input.

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

AMERICAN OVERSIGHT

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 9/27/2018 8:35:30 PM
To: Block, Molly [block.molly@epa.gov]
Subject: Re: FOR REVIEW AND APPROVAL: American Cyanamid Superfund Site news release on Record of Decision

I'm okay. I think he is recused but Nicknor Silvina can verify.

Sent from my iPhone

On Sep 27, 2018, at 4:28 PM, Block, Molly <block.molly@epa.gov> wrote:

> Sorry about that! As long as you're good with the press release from the original email I sent this afternoon at 2:47 EST, then you're good.
>
> I added in some extra language about the emphasis list, but that was approved by Silvina, so we should be good there.
>
> Is this one that I can ping Peter about, or is he recused?
>
> **From:** Cook, Steven
> **Sent:** Thursday, September 27, 2018 4:26 PM
> **To:** Block, Molly <block.molly@epa.gov>
> **Subject:** Re: FOR REVIEW AND APPROVAL: American Cyanamid Superfund Site news release on Record of Decision
>
> Just landed and saw multiple emails on this. Need anything more from me?
>
> Sent from my iPhone
>
> On Sep 27, 2018, at 2:47 PM, Block, Molly <block.molly@epa.gov> wrote:
>
> > The Region took a stab at Wheeler's quote, so this still needs to be reviewed and approved by him.
> >
> > Apologies if you've already seen the attached press release. To my knowledge this is a big ROD, so I want to make sure you've had time to review.
> >
> > I have one quick question: Wasn't this on the Administrator's Emphasis List? If so, I'll add in an additional paragraph on that. Thanks!
> >
> > Let me know if you have any questions.
> >
> > Molly
> >
> > **From:** Kluesner, Dave
> > **Sent:** Thursday, September 27, 2018 2:37 PM
> > **To:** regionalpress <regionalpress@epa.gov>; Block, Molly <block.molly@epa.gov>
> > **Cc:** Mears, Mary <Mears.Mary@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>
> > **Subject:** FOR REVIEW AND APPROVAL: American Cyanamid Superfund Site news release

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on Record of Decision
Importance: High

Target Dates for Issue: either Friday, September 28 or Monday, October 1

NOTE: news release has a placeholder Acting Administrator quote. Also awaiting a quote from Congressman Lance.

NOTE: Submitting for concurrent RA and OPA review. RA is in consultation meetings with the Seneca Nation, thus seeking concurrent review to expedite the process.

David W. Kluesner

<image001.jpg> <image001.png> <image002.png> <image003.png> <image005.png> <image006.png>

U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26th Floor
New York, NY 10007
212.637.3653 (Office)
347.330.9439 (Cell)

<Am Cy ROD Draft News Release FOR PETE and OPA REVIEW Sept 27 230 pm mb.docx>

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 1/30/2019 2:50:37 PM
To: Harwood, Jackie [Harwood.Jackie@epa.gov]
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

Always a good choice

From: Harwood, Jackie
Sent: Wednesday, January 30, 2019 9:40 AM
To: Cook, Steven <cook.steven@epa.gov>
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

Sorry – need more coffee this morning. . .

Jackie Harwood
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Cook, Steven
Sent: Wednesday, January 30, 2019 9:39 AM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

That was Peter

From: Harwood, Jackie
Sent: Wednesday, January 30, 2019 9:38 AM
To: Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

Will do – thanks Steven.

Jackie Harwood
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

AMERICAN OVERSIGHT

From: Wright, Peter
Sent: Wednesday, January 30, 2019 9:37 AM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: RE: FOR B/P/S REVIEW THIS MORNING - MEDIA INQUIRY -- Bloomberg Environment. AROW and Superfund. DDL: 1/30, 11:30 AM

All:

Out of abundance of caution I will not review the draft responses as they appear to be related directly or indirectly to Portland Harbor, a site from which I am recused. Please drop my from the distribution.

Thank you.

Peter

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 10/9/2018 11:00:11 PM
To: Fotouhi, David [fotouhi.david@epa.gov]; Block, Molly [block.molly@epa.gov]
Subject: RE: FOR APPROVAL: NPL Deletions

Good to go from me.

From: Fotouhi, David
Sent: Tuesday, October 9, 2018 2:21 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Cook, Steven <cook.steven@epa.gov>
Subject: Re: FOR APPROVAL: NPL Deletions

No comments from me. Thanks

Sent from my iPhone

On Oct 9, 2018, at 12:18 PM, Block, Molly <block.molly@epa.gov> wrote:

> Steven and David –
>
> I didn't include Peter as I believe he may be recused from some of these sites, but please send it his way if I am mistaken. You may have seen previous versions of the press release attached, but this is the final press release on NPL deletions in FY 2018. Please let me know if you have any edits!
>
> We plan to send this out first thing tomorrow morning.
>
> Thanks!
> Molly
>
> <2018 NPL deletions press releasev2.draft9.28.18 mb_CB sf comments 10.9.18.docx>

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 8/9/2018 2:14:10 PM
To: Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Fwd: PFAS Discussion

Becky - can you work on getting this scheduled? Peter should be involved as well unless he is recused.

Sent from my iPhone

Begin forwarded message:

From: "Forsgren, Lee" <Forsgren.Lee@epa.gov>
Date: August 9, 2018 at 6:19:04 AM PDT
To: "Bodine, Susan" <bodine.susan@epa.gov>, "Traylor, Patrick" <traylor.patrick@epa.gov>, "Cook, Steven" <cook.steven@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>, "Yamada, Richard (Yujiro)" <yamada.richard@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>
Cc: "Ross, David P" <ross.davidp@epa.gov>, "Penman, Crystal" <Penman.Crystal@epa.gov>
Subject: PFAS Discussion

Ladies and Gentlemen,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Crystal Penman handles Dave Ross' and my schedule so if you could have your scheduling folks work with her on a time that works for us all (or as many as possible) to get together in the next two weeks if possible.

Respectfully,
Lee

D. Lee Forsgren
Deputy Assistant Administrator
Office Of Water
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 3219 WJCE
Washington, DC 20460
Phone: 202-564-5700
Forsgren.Lee@epa.gov

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 8/8/2018 3:31:27 PM
To: Falvo, Nicholas [falvo.nicholas@epa.gov]
Subject: Re: Smokey Mountain Smelter

It did have that familiar ring.

Sent from my iPhone

> On Aug 8, 2018, at 5:32 AM, Falvo, Nicholas <falvo.nicholas@epa.gov> wrote:
>
> Will gather the info from both Christian and Randall.

Ex. 5 Deliberative Process (DP)

> Sent from my iPhone
>
>> On Aug 8, 2018, at 12:30 AM, Cook, Steven <cook.steven@epa.gov> wrote:
>>
>> Ok - would like to see some more background on this.
>>
>> Sent from my iPhone
>>
>>> On Aug 7, 2018, at 3:38 PM, Falvo, Nicholas <falvo.nicholas@epa.gov> wrote:
>>>
>>> FYI.
>>> New site on our radar. Will loop in Peter tomorrow once I go through his recusal list and make sure he' s clear.
>>>
>>>>> -----Original Message-----
>>>>> From: Falvo, Nicholas
>>>>> Sent: Tuesday, August 7, 2018 6:16 PM
>>>>> To: Chaffins, Randall <Chaffins.Randall@epa.gov>; Hill, Franklin <Hill.Franklin@epa.gov>
>>>>> Cc: Rodrick, Christian <rodrick.christian@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>
>>>>> Subject: Smokey Mountain Smelter
>>>>>
>>>>> Franklin, Randall:
>>>>> Just got a call from Christian Roderick in OCIR. Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)
>>>>>
>>>>> Would either of you be available tomorrow to discuss the site status with Christian, and perhaps myself/Erin/Silvina?
>>>>>

Ex. 5 Deliberative Process (DP)

>>>>>
>>>>> Please let me know your availability.
>>>>>
>>>>> Thanks
>>>>> Nick
>>>>>
>>>>>
>>>>>
>>>>> Sent from my iPhone

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Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 8/3/2018 4:13:30 PM
To: Fonseca, Silvina [Fonseca.Silvina@epa.gov]
CC: Falvo, Nicholas [falvo.nicholas@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]
Subject: Re: September Portland Harbor Meeting Requests

I'm okay with proceeding with these meetings. You have the calendar so you can see my availability.

Sent from my iPhone

On Aug 3, 2018, at 11:05 AM, Fonseca, Silvina <Fonseca.Silvina@epa.gov> wrote:

> Any of those dates work for me.
>
> *Silvina Fonseca*
> *Special Assistant*
> *Office of the Administrator*
> *U.S. Environmental Protection Agency*
> *Desk: 202.564.1955*
> *Cell:* 202.306.6844
>
> ---
>
> **From:** Falvo, Nicholas
> **Sent:** Tuesday, July 31, 2018 3:28 PM
> **To:** Cook, Steven <cook.steven@epa.gov>
> **Cc:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>
> **Subject:** September Portland Harbor Meeting Requests
>
> Two different requests:
> First request from Cliff Rothenstein, representing T4, on either September 13, 14, 19, or 20th. Cliff would like to also bring in Susan Bodine, Jim Woolford, and Cyndy Mackey. Looking at everyone's availability on scheduling assistant, the best times seem to be:
> Sept 14th after 10:00-noon or after 1:00.(Jim's entire day is blocked.)
> Sept 19th from 10:00-12 or 2:00-3pm
> Sept 20th from 10-11; 3:00-4 (potential conflicts with Jim and Cyndy).
>
> Second request from Elliott Laws representing NW Natural Gas asking for an introductory meeting with Steven to discuss their role at Portland Harbor. They are asking for September 10 or the morning of the 11th.
> Sept 10 from 11:00am-2pm.
> Sept 11 from 10:30-2pm (when CHEJ comes in).
>
> As a reminder, Peter is recused on the site.
>
> Let me know what works for everyone and I'll set something up.
>
> ~naf
>
> Nicholas Falvo
> Environmental Protection Agency
> Office of the Administrator

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Falvo.Nicholas@epa.gov
Office: (202) 564-5075
Cell: (202) 760-0581

AMERICAN OVERSIGHT

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/16/2018 2:25:44 PM
To: Falvo, Nicholas [falvo.nicholas@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: Recusal/SF Recap Email

That works

From: Falvo, Nicholas
Sent: Monday, July 16, 2018 10:24 AM
To: Cook, Steven <cook.steven@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: Recusal/SF Recap Email

Email will be sent shortly. Will not include Peter on this list and will kindly ask Nick and Becky to scrub anything necessary.
Thanks

Nick Falvo
US EPA
(202) 760-0581

From: Cook, Steven
Sent: Monday, July 16, 2018 10:22 AM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: RE: Recusal/SF Recap Email

We are in the process of figuring out how to handle his recusal list. We will need to send him a scrubbed version. Nick/Becky are locating the most current recusal list.

From: Falvo, Nicholas
Sent: Monday, July 16, 2018 9:56 AM
To: Cook, Steven <cook.steven@epa.gov>
Subject: Recusal/SF Recap Email

Do I need to remove Peter from the weekly email? Should I scrub any site mentioned in the email?

Nicholas Falvo
Environmental Protection Agency
Office of the Administrator
Falvo.Nicholas@epa.gov
Office: (202) 564-5075
Cell: (202) 760-0581

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Withhold Index for EPA-HQ-2019-008397

#	Doc ID Beg	Parent ID	File Name	FOIA Exemption Status
1	ED_002965A_00000340	ED_002965A_00000339	AEL 6.27.2019 ALL SITES Internal AW Scrubbed.docx	Ex. 5 - Deliberative Process (DP)
2	ED_002965A_00000350	ED_002965A_00000349	FY 2019 $50M Synopsis 4.11.19 unscrubbed .docx	Ex. 5 - Deliberative Process (DP)
3	ED_002965A_00000380	ED_002965A_00000379	AEL 3.14.2019 ALL SITES Internal (002) (002).docx	Ex. 5 - Deliberative Process (DP)
4	ED_002965A_00000416		00000000D381BEE1647B764E8042031B89572AF684142000.msg	Ex. 5 - Deliberative Process (DP)
5	ED_002965A_00000439	ED_002965A_00000438	AEL 3.8.2019 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
6	ED_002965A_00000466	ED_002965A_00000465	Week of 3.18.2019 and 3.25.2019 Final Unscrubbed.docx	Ex. 5 - Deliberative Process (DP)
7	ED_002965A_00000477	ED_002965A_00000476	Peter Wright updated recusal 7_19_19.docx	Ex. 5 - Deliberative Process (DP)
8	ED_002965A_00000505	ED_002965A_00000504	AEL 6.20.2019 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
9	ED_002965A_00000514	ED_002965A_00000513	Week of 4.22.2019 and 4.29.2019 Final Unscrubbed.docx	Ex. 5 - Deliberative Process (DP)
10	ED_002965A_00000516	ED_002965A_00000515	AEL Working file 10.9.2018.docx	Ex. 5 - Deliberative Process (DP)
11	ED_002965A_00000517		00000000D381BEE1647B764E8042031B89572AF6441F2000.msg	Ex. 5 - Deliberative Process (DP)
12	ED_002965A_00000526	ED_002965A_00000525	AEL 3.14.2019 ALL SITES Internal (002) Region 2.docx	Ex. 5 - Deliberative Process (DP)
13	ED_002965A_00000537		00000000D381BEE1647B764E8042031B89572AF684212000.msg	Ex. 5 - Deliberative Process (DP)
14	ED_002965A_00000573	ED_002965A_00000572	Week of 2.25.2019 Final Unscrubbed.docx	Ex. 5 - Deliberative Process (DP)
15	ED_002965A_00000656		00000000D381BEE1647B764E8042031B89572AF604322000.msg	Ex. 5 - Deliberative Process (DP)
16	ED_002965A_00000685	ED_002965A_00000684	AEL 3.14.2019 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
17	ED_002965A_00000690	ED_002965A_00000689	AEL where are they now UPDATE AW scrubbed June 27.2019.docx	Ex. 5 - Deliberative Process (DP)
18	ED_002965A_00000691	ED_002965A_00000689	AEL where are they now UPDATE unscrubbed June 27.2019.docx	Ex. 5 - Deliberative Process (DP)
19	ED_002965A_00000699		00000000D381BEE1647B764E8042031B89572AF624362000.msg	Ex. 5 - Deliberative Process (DP)
20	ED_002965A_00000709	ED_002965A_00000708	Week of 4.1.2019 and 4.8.2019 Final Unscrubbed.docx	Ex. 5 - Deliberative Process (DP)
21	ED_002965A_00000721	ED_002965A_00000720	Week of 3.4.2019 and 3.11.2019 Final Unscrubbed.docx	Ex. 5 - Deliberative Process (DP)
22	ED_002965A_00000796	ED_002965A_00000795	AEL 3.8.2019 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
23	ED_002965A_00000879	ED_002965A_00000878	AEL 6.27.2019 ALL SITES Internal unscrubbed.docx	Ex. 5 - Deliberative Process (DP)
24	ED_002965A_00000920		00000000D381BEE1647B764E8042031B89572AF6C44D2000.msg	Ex. 5 - Deliberative Process (DP)
25	ED_002965A_00000998	ED_002965A_00000997	AEL 2.27.2019 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
26	ED_002965A_00001074		00000000D381BEE1647B764E8042031B89572AF624602000.msg	Ex. 5 - Deliberative Process (DP)
27	ED_002965A_00001081	ED_002965A_00001080	Peter Wright draft recusal after stock sale v2.docx	Ex. 5 - Deliberative Process (DP)
28	ED_002965A_00001087	ED_002965A_00001086	AEL 7.10.2019 ALL SITES External unscrubbed .docx	Ex. 5 - Deliberative Process (DP)

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29	ED_002965A_00001088	ED_002965A_00001086	AEL 7.10.2019 ALL SITES Internal unscrubbed.docx	Ex. 5 - Deliberative Process (DP)
30	ED_002965A_00001095		00000000D381BEE1647B764E8042031B89572AF624622000.msg	Ex. 5 - Deliberative Process (DP)
31	ED_002965A_00001119	ED_002965A_00001118	AEL 11.5.2018 ALL SITES Public.docx	Ex. 5 - Deliberative Process (DP)
32	ED_002965A_00001370	ED_002965A_00001369	AEL 11.5.2018 AAW Not Recused.docx	Ex. 5 - Deliberative Process (DP)
33	ED_002965A_00001371	ED_002965A_00001369	AEL 11.5.2018 ALL SITES.docx	Ex. 5 - Deliberative Process (DP)
34	ED_002965A_00001381	ED_002965A_00001380	AEL Working file 11.5.2018 ALL SITES osre.docx	Ex. 5 - Deliberative Process (DP)
35	ED_002965A_00001396	ED_002965A_00001395	FY 2019 $50M Synopsis 3.1.2019 unscrubbed (updated).docx	Ex. 5 - Deliberative Process (DP)
36	ED_002965A_00001424	ED_002965A_00001423	AEL Working file 11.2.2018 ALL SITES.docx	Ex. 5 - Deliberative Process (DP)
37	ED_002965A_00001440	ED_002965A_00001439	AEL Working file 11.2.2018 ALL SITES.docx	Ex. 5 - Deliberative Process (DP)
38	ED_002965A_00001482	ED_002965A_00001481	July 2018 Update to AEL public all comments Clean 8.2.2018.docx	Ex. 5 - Deliberative Process (DP)
39	ED_002965A_00001484		00000000D381BEE1647B764E8042031B89572AF684722000.msg	Ex. 5 - Deliberative Process (DP)
40	ED_002965A_00007714	ED_002965A_00007713	FY 2019 $50M Synopsis 3.1.2019 scrubbed for PW (final).docx	Ex. 5 - Deliberative Process (DP)
41	ED_002965A_00007640	ED_002965A_00007639	FY 2019 $50M Synopsis 3.1.2019 scrubbed for PW.docx	Ex. 5 - Deliberative Process (DP)
42	ED_002965A_00007606	ED_002965A_00007605	Week of 4.1.2019 and 4.8.2019 Final Scrubbed.docx	Ex. 5 - Deliberative Process (DP)
43	ED_002965A_00007593	ED_002965A_00007592	Week of 4.22.2019 and 4.29.2019 Final Scrubbed.docx	Ex. 5 - Deliberative Process (DP)
44	ED_002965A_00007654	ED_002965A_00007653	FY 2019 $50M Synopsis 3.29.19 scrubbed for pw.docx	Ex. 5 - Deliberative Process (DP)
45	ED_002965A_00008052		00000000080C883A8F74224C83FD0B3358125E36841C2000.msg	Ex. 5 - Deliberative Process (DP)
46	ED_002965A_00008307		00000000080C883A8F74224C83FD0B3358125E36C4422000.msg	Ex. 5 - Attorney Client (AC)
47	ED_002965A_00008305	ED_002965A_00008304	AEL 2.27.2019 Peter Not Recused Internal.docx	Ex. 5 - Deliberative Process (DP)
48	ED_002965A_00008131	ED_002965A_00008129	AEL 11.5.2018 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
49	ED_002965A_00008070	ED_002965A_00008069	AEL 11.5.2018 ALL SITES Public.docx	Ex. 5 - Deliberative Process (DP)
50	ED_002965A_00010286	ED_002965A_00010285	July 2018 Update to AEL public all comments Clean 8.2.2018.docx	Ex. 5 - Deliberative Process (DP)
51	ED_002965A_00010288		0000000078484EDF3596404FBB93D653BA1E134A041E2000.msg	Ex. 5 - Deliberative Process (DP)
52	ED_002965A_00010294		0000000078484EDF3596404FBB93D653BA1E134A44222000.msg	Ex. 5 - Deliberative Process (DP)
53	ED_002965A_00010324		0000000078484EDF3596404FBB93D653BA1E134A24542000.msg	Ex. 5 - Deliberative Process (DP)
54	ED_002965A_00010326	ED_002965A_00010325	AEL Working file 10.28.2018.docx	Ex. 5 - Deliberative Process (DP)
55	ED_002965A_00010333	ED_002965A_00010332	AEL 2.25.2019 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
56	ED_002965A_00010343	ED_002965A_00010342	AEL 11.5.2018 ALL SITES Internal.docx	Ex. 5 - Deliberative Process (DP)
57	ED_002965A_00010344	ED_002965A_00010342	AEL 11.5.2018 ALL SITES Public.docx	Ex. 5 - Deliberative Process (DP)

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58	ED_002965A_00010346	ED_002965A_00010345	AEL Working file 10.29.2018-R7 edits.docx	Ex. 5 - Deliberative Process (DP)
59	ED_002965A_00010348	ED_002965A_00010347	AEL Working file 10.29.2018.docx	Ex. 5 - Deliberative Process (DP)
60	ED_002965A_00010463		00000000078484EDF3596404FBB93D653BA1E13 4A44112000.msg	Ex. 5 - Deliberative Process (DP)

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