

Emails between InsideClimate News and the EPA, in chronological order from April – July 2014. Emails have been formatted for clarity but not edited for content.

See page 15 for the original unformatted emails.

<p><b>From:</b> Lisa Song [mailto:lisa.song@insideclimatenews.org] <b>Sent:</b> Friday, April 04, 2014 4:49 PM <b>To:</b> McCabe, Janet <b>Subject:</b> Air emissions in the Eagle Ford Shale: interview request</p>
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Dear Ms. McCabe,

My name is Lisa Song and I'm a reporter at InsideClimate News.

For the past 10 months, my colleagues and I at InsideClimate, along with reporters from the Center for Public Integrity and the Weather Channel, have been reporting on air emissions from oil and gas development in the Texas Eagle Ford Shale.

The results of our investigation were published in February with the series "Big Oil, Bad Air." Since then, we have continued with follow-up stories. Our reporting shows a pattern of citizen complaints in the Eagle Ford; industrial-sized emissions; an underfunded state regulatory agency; and a major lack of air monitoring in the region, which means that regulators know almost nothing about how the emissions affect public health.

As Acting Assistant Administrator for the Office of Air and Radiation, you can provide crucial context and expertise on the situation in the Eagle Ford. Therefore I am requesting either a face-to-face or phone interview with you at your earliest convenience. Please respond to this email by Wednesday, April 9.

Due to the shale energy boom, the situation in the Eagle Ford is important not just for Texas, but for the entire nation. Millions of Americans now live in close proximity to oil and gas wells, and state legislatures from New York to California are looking to other states—and the EPA—for guidance. The general public has a deep interest in this subject, and your voice is a crucial part of that story.

I invite you to read and view our Eagle Ford series at <http://ow.ly/vrNXf>

Thank you for your time, and I look forward to our conversation.

Sincerely,

Lisa Song

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Lisa Song  
Reporter, InsideClimate News

<http://insideclimatenews.org>  
617-500-8266  
@lisalsong

**From:** Valentine, Julia [Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)  
**Sent:** Mon, Apr 7, 2014 at 12:54 PM  
**To:** [lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)  
**Subject:** EPA getting in touch

Hi, Lisa,

We want to let you know we have received the request you sent to Janet McCabe.

I'll get back to you shortly.

Thanks.

Julia P. Valentine  
US EPA HQ  
Press Office  
[202.564.0496](tel:202.564.0496)

**From:** Lisa Song  
**Sent:** Wed, Apr 9, 2014 at 1:39 PM  
**To:** Valentine, Julia  
**Subject:** Re: EPA getting in touch

Thank you Julia. Please keep me updated, and I hope we can set up a time to talk soon.

Lisa

**From:** Lisa Song  
**Sent:** Tuesday, April 29, 2014 11:19 AM  
**To:** Valentine, Julia  
**Subject:** Re: EPA getting in touch

Julia,

Any update on this?

Thanks,  
Lisa

**From:** Valentine, Julia  
**Sent:** Wed, Apr 30, 2014 at 10:58 AM  
**To:** Lisa Song  
**Subject:** Re: EPA getting in touch

Hi, Lisa. I just checked in with the program office for status and I will let you know.

Thanks for checking in.

**From:** Lisa Song  
**Sent:** Mon, Jun 2, 2014 at 1:27 PM  
**To:** Valentine, Julia  
**Subject:** Re: EPA getting in touch

Julia,

I'm checking in again on this request. My interest is still about air emissions from upstream shale oil and gas development, not about the new EPA carbon rules released today.

Lisa

**From:** Valentine, Julia  
**Sent:** Mon, Jun 2, 2014 at 1:27 PM  
**To:** Lisa Song  
**Subject:** Automatic reply: EPA getting in touch

I am out of the office. Please call [202.564.4355](tel:202.564.4355) or resend your email [press@epa.gov](mailto:press@epa.gov) to be directed to the correct press officer. Thanks.

**From:** Lisa Song  
**Sent:** Monday, June 2, 2014 1:43:19 PM  
**To:** Jones, Enesta  
**Subject:** Fwd: EPA getting in touch

Ms. Jones,

I just got Julia Valentine's out-of-office reply after sending the following email. I am forwarding this to you since you're listed on the EPA site as the contact for outdoor air quality and ozone. Please let me know if I should forward this to someone else.

This is an interview request to speak to Janet McCabe about air emissions from oil and gas drilling--not about today's carbon rules. I first made the request nearly two months ago (see below), and Julia has said several times that she is checking in on my request. I look forward to hearing from you.

Best,  
Lisa

**From:** Jones, Enesta  
**Sent:** Tuesday, June 3, 2014 8:05 AM  
**To:** Lisa Song  
**Cc:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Lisa,

Your inquiry deals with fracking. Cathy Milbourn, copied here, will be in touch.

Enesta Jones  
U.S. EPA, Office of Media Relations  
Desk: 202.564.7873  
Cell: 202.236.2426

**From:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>  
**Sent:** Tue, Jun 3, 2014 at 10:10 AM  
**To:** Lisa Song  
**Subject:** Re: Fwd: EPA getting in touch

Hi Lisa:

I'm the one who did the backgrounder with Alison Davis on the air rule with you and Jim Morris. Did you have additional questions?

Thanks!

Cathy

**From:** Lisa Song

**Sent:** Tuesday, June 3, 2014 11:50:48 AM  
**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Hi Cathy,

I do have additional questions, and I'm requesting an on-the-record interview with Acting Assistant Administrator McCabe, either via telephone or in person, at some point before Tuesday, July 15. I will be unavailable June 12-13 and during the week of June 23, but otherwise my schedule is fairly flexible.

I would like to talk about the EPA's role in enforcement of air emissions from upstream oil and gas operations in Texas. My colleagues and I have been reporting on air emissions from the South Texas Eagle Ford Shale for over a year. The link to our investigation, and additional background on my interview request can be found in my original email from April 4th (see below).

I am aware of the EPA NSPS regulations from Aug. 2012, which we discussed during the backgrounder call. My questions are about other topics, including enforcement of aggregate emissions from minor sources, and the questions/unknowns raised in the Air Quality section of the addendum to the May 29 [DOE report](#) "Environmental Review Documents Concerning Exports of Natural Gas from the United States."

Best,  
Lisa

**From:** Milbourn, Cathy  
**Sent:** Wed, Jun 4, 2014 at 1:50 PM  
**To:** Lisa Song  
**Subject:** Re: Fwd: EPA getting in touch

Linda: I will get back to you.  
Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

**From:** Lisa Song  
**Sent:** Monday, June 9, 2014 3:10:46 PM  
**To:** Milbourn, Cathy; Valentine, Julia  
**Subject:** Re: Fwd: EPA getting in touch

Any updates? It's been two months since my first request for an interview with Ms. McCabe. My deadline is still July 15.

Lisa

**From:** Milbourn, Cathy  
**Sent:** Mon, Jun 9, 2014 at 3:12 PM  
**To:** Lisa Song  
**Subject:** Re: Fwd: EPA getting in touch

Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

**From:** Milbourn, Cathy  
**Sent:** Mon, Jun 9, 2014 at 3:14 PM  
**To:** Lisa Song  
**Cc:** Valentine, Julia  
**Subject:** Re: Fwd: EPA getting in touch

Lisa: sorry I hit send too soon.

Can you explain what you mean in this paragraph about enforcement of aggregate emissions from minor sources...?  
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I am aware of the EPA NSPS regulations from Aug. 2012, which we discussed during the backgrounder call. My questions are about other topics, including enforcement of aggregate emissions from minor sources, and the questions/unknowns raised in the Air Quality section of the addendum to the May 29 DOE report "Environmental Review Documents Concerning Exports of Natural Gas from the United States."

Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

**From:** Lisa Song  
**Sent:** Monday, June 09, 2014 3:33 PM  
**To:** Milbourn, Cathy  
**Cc:** Valentine, Julia  
**Subject:** Re: Fwd: EPA getting in touch

Yes, of course. The Clean Air Act regulates major sources of air pollution more stringently than minor sources. A single shale oil or gas well may be considered a minor source, but what happens when there are many wells clustered in one area, which

collectively emit enough to be considered a major source? I'm looking to better understand how the EPA manages these situations.

In our Eagle Ford Shale series, for example, we found three oil and gas production facilities in close proximity that emit more VOCs per year than a mid-sized oil refinery. But they are regulated less stringently than the refinery. The exact quote from our story is:

Texas state air permits for "...[the] three sites show they house 25 compressor engines, 10 heater treaters, 6 flares, 4 glycol dehydrators and 65 storage tanks for oil, wastewater and condensate. Combined, those sites have the state's permission to release 189 tons of volatile organic compounds, a class of toxic chemicals that includes benzene and formaldehyde, into the air each year. That's about 12 percent more than Valero's Houston Oil Refinery disgorged in 2012."

**From:** Milbourn, Cathy  
**Sent:** Mon, Jun 9, 2014 at 4:11 PM  
**To:** Lisa Song  
**Subject:** Re: Fwd: EPA getting in touch

Hi Lisa: are you referring to aggregation for permitting purposes, or for air toxics regulation purposes?

**From:** Lisa Song  
**Sent:** Mon, Jun 9, 2014 at 4:15 PM  
**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

I am interested in how the EPA deals with both situations.

**From:** Lisa Song  
**Sent:** Tuesday, June 17, 2014 2:34:10 PM  
**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Cathy,

Do you have an update on this? I've now explained my interest in air toxics regulations and aggregation for permitting purposes. You can see why it's essential for me to speak with Ms. McCabe to understand these complex topics. My deadline is still July 15.

Lisa

**From:** Milbourn, Cathy  
**Sent:** Tue, Jun 17, 2014 at 2:57 PM  
**To:** Lisa Song  
**Subject:** Re: Fwd: EPA getting in touch

Lisa: I'm out today and will get back to you tomorrow.

Cathy

**From:** Lisa Song  
**Sent:** Thursday, June 19, 2014 9:41:31 AM  
**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Cathy,

I didn't get a response yesterday. What is the status of my request?

Lisa

**From:** Milbourn, Cathy  
**Sent:** Thu, Jun 19, 2014 at 10:00 AM  
**To:** Lisa Song  
**Cc:** "Hull, George" <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>  
**Subject:** Re: Fwd: EPA getting in touch

Hi Lisa: isn't your deadline July 15? I can't promise an interview with Janet McCabe. But I can get answers to your questions.

Cathy

**From:** Lisa Song  
**Sent:** Thu, Jun 19, 2014 at 12:05 PM  
**To:** Milbourn, Cathy  
**Cc:** "Hull, George" <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>



**Subject:** Re: Fwd: EPA getting in touch

Hi Cathy,

The requested interview is for a story on how the EPA regulates air emissions from the upstream sector of the oil and gas industry (e.g. drilling, hydraulic fracturing) vs. the downstream sector (e.g. refineries). We will look at issues such as the regulation of aggregate emissions from minor sources, as explained in my June 9 emails.

As Acting Assistant Administrator for the Office of Air and Radiation, Ms. McCabe has the expertise and authority to speak to these issues. This is a complicated subject and we will need an on the record interview with her, by July 15, either in person or over the phone. If another EPA technical expert would like to join Ms. McCabe during the interview, for on-the-record comments and details, that would also work.

Thanks,  
Lisa

**From:** Lisa Song  
**Sent:** Tuesday, July 01, 2014 2:05 PM  
**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Cathy,

I'm checking in again about my request. It is now two weeks before my deadline, so I will need an update and answer soon.

Best,  
Lisa

**From:** Milbourn, Cathy  
**Sent:** Tue, Jul 1, 2014 at 2:20 PM  
**To:** Lisa Song  
**Subject:** Re: Fwd: EPA getting in touch

Lisa: I hope to have something soon.

**From:** Milbourn, Cathy  
**Sent:** Thu, Jul 3, 2014 at 10:59 AM  
**To:** Lisa Song

**Subject:** Re: Fwd: EPA getting in touch

Hi Lisa:

Here are the answers to your inquiry. Please attribute them to the US EPA.

Thank you!

Cathy

### Incoming Question

The Clean Air Act regulates major sources of air pollution more stringently than minor sources. A single shale oil or gas well may be considered a minor source, but what happens when there are many wells clustered in one area, which collectively emit enough to be considered a major source? I'm looking to better understand how the EPA manages these situations.

In our Eagle Ford Shale series, for example, we found three oil and gas production facilities in close proximity that emit more VOCs per year than a mid-sized oil refinery. But they are regulated less stringently than the refinery. The exact quote from our story is:

Texas state air permits for "...[the] three sites show they house 25 compressor engines, 10 heater treaters, 6 flares, 4 glycol dehydrators and 65 storage tanks for oil, wastewater and condensate. Combined, those sites have the state's permission to release 189 tons of volatile organic compounds, a class of toxic chemicals that includes benzene and formaldehyde, into the air each year. That's about 12 percent more than Valero's Houston Oil Refinery disgorged in 2012."

### Answers

#### On Background

You had said you were interested in this topic both from an air toxics perspective and a permitting perspective.

#### For the air toxics question

Under Clean Air Act section 112 (n)(4), EPA is prohibited from aggregating emissions from any oil or gas well with its associated equipment and emission from any pipeline compressor or pump station with other similar equipment to make a major source determination for air toxics regulation. In addition, EPA is prohibited from listing oil and gas production wells with their associated equipment as an "area source" category for air toxics regulation, except that EPA may establish an area source category for oil and gas

production wells in a metropolitan statistical area or consolidated metropolitan statistical area with a population of more than 1 million, if the EPA Administrator makes a determination that air toxics emissions from those wells present more than a negligible risk of adverse effects to public health. An “area source” emits less than 10 tons a year of a single air toxics, or less than 25 tons a year of a combination of toxics.

In May, several environmental groups filed a petition with EPA asking the agency to list oil and gas wells and associated equipment as an “area source” category for regulation under the air toxics provisions of the Clean Air Act, and to issue air toxics regulations for those sources. EPA has received the petition and is reviewing it.

### **For the permitting question**

The pre-construction permitting programs (for both major and minor sources), are required by the Clean Air Act to assure that states meet the National Ambient Air Quality Standards (NAAQS). Areas that meet the NAAQS are subject to the major new source review (NSR) permitting program known as Prevention of Significant Deterioration (PSD). Areas that are designated as nonattainment for the NAAQS are subject to nonattainment New Source Review (NNSR), which has more stringent control requirements and lower emissions thresholds.

EPA’s pre-construction permitting rules for major stationary sources apply to any building, structure, facility or installation that emits or may emit a regulated NSR pollutant. This applies to all of the pollutant-emitting activities that belong to the same industrial grouping (same 2-digit SIC code), are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control).

Each state or local air agency is required to have a program in its state implementation plan (SIP) to prohibit any minor source from being constructed that could interfere with attainment or maintenance of the NAAQS. Texas has its own PSD and NNSR permitting programs that have been approved by EPA and are a part of the State Implementation Plan (SIP). Texas also has an approved minor NSR program.

For specific questions about the applicability of the Texas major or minor NSR program to these oil and gas production facilities, please contact the Texas Commission on Environmental Quality (TCEQ).

<p><b>From:</b> Lisa Song <b>Sent:</b> Thursday, July 3, 2014 4:07:43 PM <b>To:</b> Milbourn, Cathy <b>Subject:</b> Re: Fwd: EPA getting in touch</p>
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Cathy,

Thank you for the response, but I did not ask for answers in writing to specific

questions—I only listed general topics of interest to better inform Acting Assistant Administrator McCabe about my request. I am already aware of what you pointed out in your email: my colleague Jim Morris, for example, reported on the environmental groups' petition when it was submitted to the EPA.

Since April, I have repeatedly asked for an on-the-record interview with Ms. McCabe, to be conducted over the phone or in person. Your latest email—on background and unattributable to an individual--does not address my request.

I am not looking for general background knowledge. What I am requesting is a conversation with someone who has the expertise to discuss these issues, and who can help me understand the nuances. I am seeking a high-level discussion of a complex topic. I need a deep understanding of the subject so I can explain it to my readers. As I explained in my June 19 email, I would be glad to interview a technical expert in addition to Ms. McCabe.

My deadline is still July 15. I look forward to your response to my interview request.

Lisa

<p><b>From:</b> Milbourn, Cathy <b>Sent:</b> Tuesday, July 8, 2014 3:50:46 PM <b>To:</b> Lisa Song <b>Subject:</b> Re: Fwd: EPA getting in touch</p>
--

Lisa: I need to get back to you on this.

Cathy

<p><b>From:</b> Milbourn, Cathy <b>Sent:</b> Sat, Jul 12, 2014 at 11:12 AM <b>To:</b> Lisa Song <b>Subject:</b> Re: Fwd: EPA getting in touch</p>
---

Hi Lisa:

An interview on this issue isn't possible. You can cite the information that we provided to you to as an agency technical expert.

I will be happy to get answers to any additional questions you have.

Cathy

**From:** Lisa Song  
**Sent:** Wednesday, July 16, 2014 1:22:02 PM  
**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Cathy,

Please explain why the EPA cannot accommodate my request. Surely Ms. McCabe, head of the EPA's Office of Air and Radiation, is qualified to speak about air quality regulations and enforcement, especially if she's assisted by a technical expert as we suggested. I have also given Ms. McCabe plenty of time—more than three months—to find a time that is convenient for her schedule.

President Obama once pledged to bring "a new era of openness" to the federal government. If that's true, why won't the EPA's top air official address an issue that affects millions of Americans?

If there is another reason why an "interview on this issue isn't possible," please elaborate so we can report it.

Best,  
Lisa

**From:** Milbourn, Cathy  
**Sent:** Wed, Jul 16, 2014 at 1:32 PM  
**To:** Lisa Song  
**Subject:** Re: Fwd: EPA getting in touch

Hi Lisa:

We agreed to provide information on background from the beginning of this process when we did the first backgrounder with you and Jim Morris.

I will be happy to provide answers to any questions you have about the oil and gas rule.

Cathy

**From:** Lisa Song  
**Sent:** Wednesday, July 16, 2014 at 4:53 PM

**To:** Milbourn, Cathy

**Subject:** Re: Fwd: EPA getting in touch

Cathy,

We never had such an agreement. Jim Morris and I agreed to a single background call in March with you and an EPA staffer selected by the agency as a first step. That agreement did not extend to any subsequent interview requests Jim or I might make, and we never forfeited our right to ask for future interviews on the record. I appreciate that background call, but it did not address what I now need to discuss with Ms. McCabe.

When I made my first interview request to Ms. McCabe, I made it very clear in that April 4 email--and multiple followup emails--that I was seeking an interview on the record with Ms. McCabe. If you or Ms. Valentine (the first PIO to respond to my Apr 4 email) for some reason thought my request was an extension of the original background call, you could have mentioned it at any time over the past 3 months, and I would have corrected the misconception. At no time did I indicate that I was seeking a background conversation with Ms. McCabe, or a series of written responses. As I emphasized again and again, I sought a verbal conversation, on the record, with opportunities for back-and-forth exchanges.

Lisa

## Original email thread:

From: **Lisa Song** <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)>

Date: Wed, Jul 16, 2014 at 4:53 PM

Subject: Re: Fwd: EPA getting in touch

To: "Milbourn, Cathy" <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>

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Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

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**To:** Lisa Song

**Subject:** Re: Fwd: EPA getting in touch



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Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

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Incoming Question

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*chemicals that includes benzene and formaldehyde, into the air each year. That's about 12 percent more than Valero's Houston Oil Refinery disgorged in 2012."*

## **Answers**

### **On Background**

You had said you were interested in this topic both from an air toxics perspective and a permitting perspective.

### **For the air toxics question**

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Lisa Song  
Reporter, InsideClimate News  
<http://insideclimatenews.org>  
617-500-8266  
@lisalsong

**Catherine C. Milbourn**  
**U.S. EPA HQ**  
**Office of the Administrator**  
**Office of Media Relations**  
**202-564-7849 (office)**  
**202-420-8648 (mobile)**  
**[Milbourn.cathy@epa.gov](mailto:Milbourn.cathy@epa.gov)**

**From:** Lisa Song [mailto:[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)]  
**Sent:** Tuesday, July 01, 2014 2:05 PM

**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Cathy,

I'm checking in again about my request. It is now two weeks before my deadline, so I will need an update and answer soon.

Best,  
Lisa

On Thu, Jun 19, 2014 at 12:05 PM, Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)> wrote:  
Hi Cathy,

The requested interview is for a story on how the EPA regulates air emissions from the upstream sector of the oil and gas industry (e.g. drilling, hydraulic fracturing) vs. the downstream sector (e.g. refineries). We will look at issues such as the regulation of aggregate emissions from minor sources, as explained in my June 9 emails.

As Acting Assistant Administrator for the Office of Air and Radiation, Ms. McCabe has the expertise and authority to speak to these issues. This is a complicated subject and we will need an on the record interview with her, by July 15, either in person or over the phone. If another EPA technical expert would like to join Ms. McCabe during the interview, for on-the-record comments and details, that would also work.

Thanks,  
Lisa

On Thu, Jun 19, 2014 at 10:00 AM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:  
Hi Lisa: isn't your deadline July 15? I can't promise an interview with Janet McCabe. But I can get answers to your questions.

Cathy  
Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

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**From:** Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)>  
**Sent:** Thursday, June 19, 2014 9:41:31 AM

**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Cathy,

I didn't get a response yesterday. What is the status of my request?

Lisa

On Tue, Jun 17, 2014 at 2:57 PM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:  
Lisa: I'm out today and will get back to you tomorrow.

Cathy  
Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

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**From:** Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)>  
**Sent:** Tuesday, June 17, 2014 2:34:10 PM

**To:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Cathy,

Do you have an update on this? I've now explained my interest in air toxics regulations and aggregation for permitting purposes. You can see why it's essential for me to speak with Ms. McCabe to understand these complex topics. My deadline is still July 15.

Lisa

On Mon, Jun 9, 2014 at 4:15 PM, Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)> wrote:  
I am interested in how the EPA deals with both situations.

On Mon, Jun 9, 2014 at 4:11 PM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:

Hi Lisa: are you referring to aggregation for permitting purposes, or for air toxics regulation purposes?

**Catherine C. Milbourn**  
**U.S. EPA HQ**  
**Office of the Administrator**  
**Office of Media Relations**  
[202-564-7849](tel:202-564-7849) (office)  
[202-420-8648](tel:202-420-8648) (mobile)  
[Milbourn.cathy@epa.gov](mailto:Milbourn.cathy@epa.gov)

**From:** Lisa Song [mailto:[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)]  
**Sent:** Monday, June 09, 2014 3:33 PM

**To:** Milbourn, Cathy  
**Cc:** Valentine, Julia

**Subject:** Re: Fwd: EPA getting in touch

Yes, of course. The Clean Air Act regulates major sources of air pollution more stringently than minor sources. A single shale oil or gas well may be considered a minor source, but what happens when there are many wells clustered in one area, which collectively emit enough to be considered a major source? I'm looking to better understand how the EPA manages these situations. In our Eagle Ford Shale series, for example, [we found three oil and gas production facilities](#) in close proximity that emit more VOCs per year than a mid-sized oil refinery. But they are regulated less stringently than the refinery. The exact quote from our story is:

*Texas state air permits for "...[the] three sites show they house 25 compressor engines, 10 heater treaters, 6 flares, 4 glycol dehydrators and 65 storage tanks for oil, wastewater and condensate. Combined, those sites have the state's permission to release 189 tons of volatile organic compounds, a class of toxic chemicals that includes benzene and formaldehyde, into the air each year. That's about 12 percent more than Valero's Houston Oil Refinery disgorged in 2012."*

On Mon, Jun 9, 2014 at 3:14 PM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:

Lisa: sorry I hit send too soon.

Can you explain what you mean in this paragraph about enforcement of aggregate emissions from minor sources...?

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I am aware of the EPA NSPS regulations from Aug. 2012, which we discussed during the backgrounder call. My questions are about other topics, including enforcement of aggregate emissions from minor sources, and the questions/unknowns raised in the Air Quality section of the addendum to the May 29 DOE report "Environmental Review Documents Concerning Exports of Natural Gas from the United States."

Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

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**From:** Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)>

**Sent:** Monday, June 9, 2014 3:10:46 PM

**To:** Milbourn, Cathy; Valentine, Julia

**Subject:** Re: Fwd: EPA getting in touch

Any updates? It's been two months since my first request for an interview with Ms. McCabe. My deadline is still July 15.

Lisa

On Wed, Jun 4, 2014 at 1:50 PM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:

Linda: I will get back to you.

Cathy Milbourn, US EPA Office of Media Relations [202-420-8648](tel:202-420-8648)

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**From:** Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)>

**Sent:** Tuesday, June 3, 2014 11:50:48 AM

**To:** Milbourn, Cathy

**Subject:** Re: Fwd: EPA getting in touch

Hi Cathy,

I do have additional questions, and I'm requesting an on-the-record interview with Acting Assistant Administrator McCabe, either via telephone or in person, at some point before Tuesday, July 15. I will be unavailable June 12-13 and during the week of June 23, but otherwise my schedule is fairly flexible.

I would like to talk about the EPA's role in enforcement of air emissions from upstream oil and gas operations in Texas. My colleagues and I have been reporting on air emissions from the South Texas Eagle Ford Shale for over a year. The link to our investigation, and additional background on my interview request can be found in my original email from April 4th (see below).

I am aware of the EPA NSPS regulations from Aug. 2012, which we discussed during the backgrounder call. My questions are about other topics, including enforcement of aggregate emissions from minor sources, and the questions/unknowns raised in the Air Quality section of the addendum to the May 29 [DOE report](#) "Environmental Review Documents Concerning Exports of Natural Gas from the United States."

Best,

Lisa

On Tue, Jun 3, 2014 at 10:10 AM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:

Hi Lisa:

I'm the one who did the backgrounder with Alison Davis on the air rule with you and Jim Morris. Did you have additional questions?

Thanks!

Cathy

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**From:** Jones, Enesta  
**Sent:** Tuesday, June 3, 2014 8:05 AM  
**To:** Lisa Song  
**Cc:** Milbourn, Cathy  
**Subject:** Re: Fwd: EPA getting in touch

Lisa,

Your inquiry deals with fracking. Cathy Milbourn, copied here, will be in touch.

Enesta Jones  
U.S. EPA, Office of Media Relations  
Desk: [202.564.7873](tel:202.564.7873)  
Cell: [202.236.2426](tel:202.236.2426)

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**From:** Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)>  
**Sent:** Monday, June 2, 2014 1:43:19 PM

**To:** Jones, Enesta

**Subject:** Fwd: EPA getting in touch

Ms. Jones,

I just got Julia Valentine's out-of-office reply after sending the following email. I am forwarding this to you since you're listed on the EPA site as the contact for outdoor air quality and ozone. Please let me know if I should forward this to someone else.

This is an interview request to speak to Janet McCabe about air emissions from oil and gas drilling--not about today's carbon rules. I first made the request nearly two months ago (see below), and Julia has said several times that she is checking in on my request. I look forward to hearing from you.

Best,

Lisa

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

**From:** Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)>

**Date:** Mon, Jun 2, 2014 at 1:27 PM

**Subject:** Re: EPA getting in touch

**To:** "Valentine, Julia" <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)>

Julia,

I'm checking in again on this request. My interest is still about air emissions from upstream shale oil and gas development, not about the new EPA carbon rules released today.

Lisa

On Wed, Apr 30, 2014 at 10:58 AM, Valentine, Julia <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)> wrote:  
Hi, Lisa. I just checked in with the program office for status and I will let you know.

Thanks for checking in.

**From:** Lisa Song [mailto:[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)]

**Sent:** Tuesday, April 29, 2014 11:19 AM

**To:** Valentine, Julia

**Subject:** Re: EPA getting in touch

Julia,

Any update on this?

Thanks,

Lisa

On Wed, Apr 9, 2014 at 1:39 PM, Lisa Song <[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)> wrote:  
Thank you Julia. Please keep me updated, and I hope we can set up a time to talk soon.

Lisa

On Mon, Apr 7, 2014 at 12:54 PM, Valentine, Julia <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)> wrote:  
Hi, Lisa,

We want to let you know we have received the request you sent to Janet McCabe.

I'll get back to you shortly.

Thanks.

From: Lisa Song [mailto:[lisa.song@insideclimatenews.org](mailto:lisa.song@insideclimatenews.org)]  
Sent: Friday, April 04, 2014 4:49 PM  
To: McCabe, Janet  
Subject: Air emissions in the Eagle Ford Shale: interview request

Dear Ms. McCabe,

My name is Lisa Song and I'm a reporter at InsideClimate News.

For the past 10 months, my colleagues and I at InsideClimate, along with reporters from the Center for Public Integrity and the Weather Channel, have been reporting on air emissions from oil and gas development in the Texas Eagle Ford Shale.

The results of our investigation were published in February with the series "Big Oil, Bad Air." Since then, we have continued with follow-up stories. Our reporting shows a pattern of citizen complaints in the Eagle Ford; industrial-sized emissions; an underfunded state regulatory agency; and a major lack of air monitoring in the region, which means that regulators know almost nothing about how the emissions affect public health.

As Acting Assistant Administrator for the Office of Air and Radiation, you can provide crucial context and expertise on the situation in the Eagle Ford. Therefore I am requesting either a face-to-face or phone interview with you at your earliest convenience. Please respond to this email by Wednesday, April 9.

Due to the shale energy boom, the situation in the Eagle Ford is important not just for Texas, but for the entire nation. Millions of Americans now live in close proximity to oil and gas wells, and state legislatures from New York to California are looking to other states—and the EPA—for guidance. The general public has a deep interest in this subject, and your voice is a crucial part of that story.

I invite you to read and view our Eagle Ford series at <http://ow.ly/vrNXf>

Thank you for your time, and I look forward to our conversation.

Sincerely,

Lisa Song

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