

EXHIBIT A-22



SOUTHEASTERN LEGAL FOUNDATION, INC.

2255 SEWELL MILL ROAD • SUITE 320 • MARIETTA, GEORGIA 30062
(770) 977-2131 • FAX (770) 977-2134 • www.southeasternlegal.org

March 29, 2012

Headquarters Freedom of Information Staff
Records, Privacy, and FOIA Branch
Office of Information Collection
Office of Environmental Information
Environmental Protection Agency
1200 Pennsylvania Avenue (2822T), NW.
Washington, DC 20460

Re: FREEDOM OF INFORMATION ACT APPEAL; HQ-FOI-00469-10

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), and applicable Environmental Protection Agency (“EPA”) regulations 14 C.F.R. §§ 2.100 – 2.108, we again respectfully request the release of all documents previously requested in FOIA request HQ-FOI-00469-10¹ (“request”), dated December 18, 2009. This letter will serve as an appeal from EPA’s failure to disclose in their entirety existing documents responsive to the request. Southeastern Legal Foundation, Inc. (“SLF”) submits this appeal to EPA in accordance with instructions from Acting Director of the Climate Change Division Rona Birnbaum in her February 29, 2012, letter stating EPA’s grounds for denying our request.² We ask that EPA produce, within twenty (20) working days, all documents and portions of documents that have been improperly withheld under the referenced FOIA request.

EPA produced a “first set” of documents in response to SLF’s original December 2009, request in July 2010,³ but then failed to produce additional responses until prompted by SLF in October 2011.⁴ Thereafter, EPA produced several “rolling responses” over three months (from November 29, 2011 through February 29, 2012)⁵ culminating with the February 29, 2012, letter purporting to close out HQ-FOI-00469-10 and providing instructions for administrative appeal. That letter identified “3,170 responsive records to this FOIA request,” yet EPA withheld 3,035 records in whole or in part under 5 U.S.C. § 552(b)(5) and approximately 725 records in whole

¹ Attached as Exhibit “A.”

² Attached as Exhibit “B.”

³ See cover letter, attached as Exhibit “C.”

⁴ See email string, attached as Exhibit “D.”

⁵ See cover letters/emails attached as Exhibit “E.”

Freedom of Information Act Appeal
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or in part under 5 U.S.C. § 552(b)(6), and redacted additional portions from approximately 20 records as “not responsive. *See* Ex. B. The letter says that “[a]ll non-exempt, segregable information in the withheld records have been released.” *Id.* In fact, however, practically all that remains intact of the documents forwarded to SLF in the many, voluminous “rolling responses” from EPA are internal office banter, clerical conversations via email between EPA staff regarding task-setting and scheduling, and the full text of public comments received by EPA during the comment period related to the Endangerment Findings.⁶ Most of the thousands of pages of text provided to SLF consist of salutations followed by blocks of redacted material, wholly without context and impenetrably obscure. In short, only the truly “non-responsive” matter remains.

As a result of the way that EPA has responded to its request, SLF has no way to evaluate whether any of the “responsive” records are indeed relevant to the information requested. With very little contextual details to digest, it seems that all of the responses relate to the administrative task of compiling, sorting, and responding to public comments related to the Endangerment Finding, to the exclusion of any other information sought in the original request.⁷ It also appears that all agency communications, including information that might be factual rather than deliberative, has been blacked-out without discriminating those statements that are exempt under FOIA from those that are not. Indeed, given the blanket redactions that make up the bulk of EPA’s responses, we cannot be satisfied that EPA has responded directly to our original request, much less fully.

SLF appeals from EPA’s reliance on the FOIA exemptions to effectively deny its request. The result is that, having waited more than 26 months after making the original request, SLF now has reams of documents that are essentially meaningless and that do nothing to grant access to or increase the understanding of the general public regarding government functions and activities *which have already occurred*. But protectionism and secretive conduct regarding past government operations, without a valid stated purpose, does not comport with “the enduring beliefs underlying freedom of information laws: that an informed public is desirable, that access to information prevents governmental abuse and helps secure freedom, and that, ultimately, government must answer to its citizens.” *Pansy v. Borough of Stroudsburg*, 23 F.3d 772, 792 (3d Cir. 1994).

⁶ The original FOIA request specifically excluded “publicly available comments themselves.” *See* Ex. A, p. 2.

⁷ *See* Ex. “A.”

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Furthermore, EPA could have used its discretion to release information covered by the exemptions, in the interests of openness and accessibility.⁸ Certainly, "Congress did not design the FOIA exemptions to be mandatory bars to disclosure." Chrysler Corp. v. Brown, 441 U.S. 281, 293 (U.S. 1979). And moreover, the President has expressed his directive,⁹ reinforced by an official Memorandum from Attorney General Eric Holder,¹⁰ that executive agencies should err on the side of disclosure when administering FOIA requests. In fact, Mr. Holder explicitly said that "an agency should not withhold records merely because it can demonstrate, as a technical matter, that the records fall within the scope of a FOIA exemption," and announced that the Department of Justice will defend an agency's denial of a FOIA request under the exemptions *only if* (1) disclosure would harm an interest protected by the exemption; or (2) disclosure is prohibited by law.¹¹ Given the nature of the correspondence deemed "responsive" to its request by the EPA and the fact that no deliberations regarding the Endangerment Finding are still ongoing, SLF challenges the assertion of FOIA exemptions to deny its request, in part because disclosure in full of all records related to the items requested would not harm any interests protected by the exemptions, as to a great majority of the redacted material.

The bulk of EPA's redactions are based on Exemption 5, under its provisions mirroring the privileges of civil litigation related to discovery, executive deliberations, and attorney communications or work product.¹² SLF appeals generally from these redactions of its FOIA request, given the lack of information to evaluate EPA's reliance on Exemption 5. "[I]n the absence of a claim that disclosure would jeopardize state secrets, (citations omitted), memoranda consisting only of compiled factual material or purely factual material contained in deliberative memoranda and severable from its context would generally be available for discovery by private parties in litigation with the Government." EPA v. Mink, 410 U.S. 73, 87-88 (U.S. 1973). In addition, "the test under Exemption 5 is whether the documents would be 'routinely' or 'normally'

⁸ "These limited exemptions do not obscure the basic policy that disclosure, not secrecy, is the dominant objective of the Act. DOI v. Klamath Water Users Protective Ass'n, 532 U.S. 1, 7-8 (U.S. 2001) (citations omitted).

⁹ President Barack Obama, "Memorandum for the Heads of Executive Departments and Agencies; Subject: Freedom of Information Act." Daily Comp. Pres. Docs., 2009 DCPD No. 0009 (January 21, 2009).

¹⁰ Attorney General Eric Holder, "Memorandum for the Heads of Executive Departments and Agencies; Subject: Freedom of Information Act," March 19, 2009, available at <http://www.justice.gov/ag/foia-memo-march2009.pdf> (last visited Nov. 7, 2011).

¹¹ Id.

¹² See Ex. B. See also NLRB v. Sears, Roebuck & Co., 421 U.S. 132, 149 (U.S. 1975) ("[I]t is reasonable to construe Exemption 5 to exempt those documents, and only those documents, normally privileged in the civil discovery context.").

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disclosed upon a showing of relevance." (Citations omitted.) United States DOJ v. Julian, 486 U.S. 1, 12 (U.S. 1988). Moreover,

it is difficult to see how the quality of a decision will be affected by communications with respect to the decision occurring after the decision is finally reached; and therefore equally difficult to see how the quality of the decision will be affected by forced disclosure of such communications, as long as prior communications and the ingredients of the decisionmaking process are not disclosed. Accordingly, the lower courts have uniformly drawn a distinction between predecisional communications, which are privileged, and communications made after the decision and designed to explain it, which are not.

NLRB v. Sears, Roebuck & Co., 421 U.S. 132, 151-152 (U.S. 1975) (citations omitted).

SLF asks that EPA produce, within twenty (20) working days from its receipt of this appeal, all documents that have been improperly withheld under the above-referenced FOIA request. If EPA does not reverse its decision to withhold or redact documents responsive to our request, we must respectfully insist upon a more complete statement of the reasons for denial, including a "Vaughn Index" of each document withheld and any FOIA exemptions supporting withholding, as well as explanation of how disclosure would damage interests protected by the claimed exemption, and the relevant FOIA provisions for judicial review.¹³

Sincerely,



Amy L. Macrina, Esq.
Litigation Fellow
Southeastern Legal Foundation, Inc.

Enclosures

¹³ See 14 C.F.R. § 2.104(k); Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973).

EXHIBIT "A"



SOUTHEASTERN LEGAL FOUNDATION, INC.

6100 LAKE FORREST DRIVE, N.W. • SUITE 520 • ATLANTA, GEORGIA 30328
(404) 257-9667 • FAX (404) 257-0049

December 18, 2009

VIA CERTIFIED MAIL

Item No.: 7003 2260 0005 4600 6573

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
E-mail: hq.foia@epa.gov

Re: Freedom of Information Act Request

Dear FOIA Compliance Officer,

Southeastern Legal Foundation ("SLF") is a non-profit public interest law firm specializing in the practice of constitutional law. SLF also undertakes research on policy issues of interest to the public. Currently, SLF is engaged in an inquiry into the Environmental Protection Agency ("EPA") and the Endangerment Findings, described and defined below. Pursuant to our investigation, we request that you provide us with any documents including, but not limited to:

1. Written and electronic correspondence, memoranda, data, or reports created by any employee, agent, or consultant of the EPA that discusses the timing of the following (hereinafter collectively "Endangerment Findings") released by the EPA on December 7, 2009:
 - a. Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases--carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)--in the atmosphere threaten the public health and welfare of current and future generations; and
 - b. Cause or Contribute Finding: The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

This inquiry is meant to cover, but is not limited to any discussions about coinciding the Endangerment Findings with the "United Nations Climate Change Conference" held December 7, 2009 through December 18, 2009 in Copenhagen, Denmark.

National Freedom of Information Officer
December 18, 2009
Page 2 of 2

2. Written and electronic correspondence, memoranda, data, or reports received produced by any employee, agent, or consultant of the EPA discussing the public comments (excluding the publicly available comments themselves) made before, and related to, the Endangerment Findings. This inquiry is meant to cover, but is not limited to any reports or analysis produced or ordered by the EPA in response to any public comment related to the Endangerment Findings;
3. Written and electronic correspondence, memoranda, data, or reports created by any employee, agent, or consultant of the EPA that discusses or analyzes the financial implications or consequences of the Endangerment Findings. This inquiry is meant to cover, but is not limited to the financial implications of the Endangerment Findings on the following: (i.) the private sector in the United States or on any particular industry; (ii.) the United States government or any agency or political subdivision thereof; or (iii.) on state and local governments. This inquiry is also meant to cover any reports or analysis produced for the EPA by any other federal agency or subdivision of the United States federal government, including but not limited to, the Office of Management and Budget and the Congressional Budget Office.

This request for documents is made pursuant to the Freedom of Information Act, 5 U.S.C. § 552. We request that the documents be furnished without charge, or at reduced charges, pursuant to 15 CFR § 4.11(k), since this information is in the public interest, is likely to contribute to public understanding of the operations and activities of government, and because SLF has no commercial interest in requesting the information. If any charges are applied for the furnishing of these documents, please advise whether the costs will exceed Fifty Dollars (\$50 USD).

If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information, and include notification of appeal procedures available under the law. If you have any questions about handling this request, you may reach me at the telephone number listed below.

Sincerely,



Shannon L. Goessling
Executive Director & Chief Legal Counsel

Southeastern Legal Foundation, Inc.
6100 Lake Forrest Drive, Suite 520
Atlanta, GA 30328
(800) 474 - 8313

EXHIBIT “B”



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

FEB 29 2012

OFFICE OF
AIR AND RADIATION

Ms. Shannon Goessling
Southeastern Legal Foundation
2255 Sewell Mill Road
Suite 320
Marietta, Georgia 30062

RE: Freedom of Information Act Request HQ-FOI-00469-10

Dear Ms. Goessling:

This letter is in response to your December 18, 2009 Freedom of Information Act (FOIA) request to the U.S. Environmental Protection Agency (EPA), in which you asked for information regarding the timing of the EPA's Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, discussion of public comments, and "[discussions or analyses] of the financial implications or consequences of the Endangerment Findings." This is the final installment of the rolling response EPA has provided for this FOIA request.

EPA has searched its records and found approximately 3,170 responsive records to this FOIA request.

EPA is withholding approximately 2,940 records under Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5). Exemption 5 protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." The deliberative process privilege of Exemption 5 protects inter- or intra-agency documents that are both predecisional and deliberative.

EPA withheld approximately 70 records under attorney-client privilege and approximately 25 records under attorney work product of Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5). The withheld portions of the attorney-client privilege records comprised communications between an EPA attorney and his/her client related to a legal matter and kept confidential, on a need to know basis, within the Agency. The attorney work product information reflects confidential legal advice in reasonable anticipation of litigation, which was provided to Agency decision-makers concerning potential courses of action under consideration by EPA, and contains legal discussions between government attorneys and their client(s).

EPA withheld parts of approximately 725 records under Exemption 6, 5 U.S.C. § 552(b)(6), including: personal email addresses, cell phone numbers, and home numbers; personal medical information related to the health of an employee or family member; and an employee's use of leave of a non-medical nature.

EPA also redacted parts of approximately 20 records as "not responsive" where an internal website, username, passcode, or conference line was included in an email. These portions of the records were

withheld because EPA concluded that the information falls outside the scope of the request and is thus not responsive to the request. All non-exempt, segregable information in the withheld records have been released.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W. Room 6416J, Washington DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 day limit. The appeal should include the FOIA number listed in the subject line above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Sincerely,



Rona Birnbaum, Acting Director
Climate Change Division

cc: EPA headquarters FOIA office

EXHIBIT “C”



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

JUL 16 2010

OFFICE OF
AIR AND RADIATION

Ms. Shannon Goessling
Southeastern Legal Foundation
6100 Lake Forrest Drive NW
Suite 520
Atlanta, Georgia 30328

RE: Freedom of Information Act Request HQ-FOI-0469-10

Dear Ms. Goessling:

Enclosed with this letter are four responsive documents to Southeastern Legal Foundation's December 18, 2009 Freedom of Information Act request, regarding documents related to EPA's endangerment and cause or contribute findings under Section 202(a) of the Clean Air Act. Based on our phone call today, we are releasing these documents as part of a rolling response to your request. They constitute the first set and others will follow as they become available.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W. Room 6416J, Washington DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 day limit. The appeal should include the RIN listed in the subject line above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Dana Hyland at hyland.dana@epa.gov or (202) 343-9963 should you have any further questions.

Sincerely,

A handwritten signature in black ink that reads "Dina Kruger".

Dina Kruger, Director
Climate Change Division

cc: Headquarters FOIA Office
Enclosure

EXHIBIT “D”

Amy L Macrina

From: Amy L Macrina
Sent: Thursday, October 27, 2011 9:17 PM
To: Hyland.Dana@epamail.epa.gov
Cc: Shannon Goessling; Jovette Ayers
Subject: RE: HQ-FOI-00469-10

Categories: Logged - Billing, Printed for file
TimeMattersID: M180D9FADA301160
TM Matter Reference: Global Warming Litigation Project

Thank you, Dana. Please call me if you have any questions during processing.

Amy L. Macrina
Law Clerk
SOUTHEASTERN LEGAL FOUNDATION, INC.
2255 Sewell Mill Road
Suite 320
Marietta, GA 30062
Phone No.: (770) 977 - 2131
Fax No.: (770) 977 - 2134
www.southeasternlegal.org

Confidentiality Notice:

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New IRS rules restrict written federal tax advice from lawyers and accountants. We include this statement in all outbound emails because even inadvertent violations may be penalized. Nothing in this message is intended to be used, or may be used, to avoid any penalty under federal tax laws. This message was not written to support the promotion or marketing of any transaction. Please contact a tax attorney to obtain formal written advice on tax issues.

From: Hyland.Dana@epamail.epa.gov [Hyland.Dana@epamail.epa.gov]
Sent: Thursday, October 27, 2011 5:23 PM
To: Amy L Macrina
Cc: Jovette Ayers; Birnbaum.Rona@epamail.epa.gov; Shannon Goessling
Subject: RE: HQ-FOI-00469-10

Amy,
To clarify, we estimate that processing of HQ-FOI-00469-10 will be completed in full by February 2012, with rolling responses to be produced between now and then.

We do not have additional responsive documents ready at this time, but will release them as soon as we do. I expect that we would have the next response to SLF by the end of November.

Sincerely,

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

From: Amy L Macrina <amacrina@southeasternlegal.org>
To: Dana Hyland/DC/USEPA/US@EPA
Cc: Rona Birnbaum/DC/USEPA/US@EPA, Shannon Goessling
<Shannon@southeasternlegal.org>, Jovette Ayers
<jayers@southeasternlegal.org>
Date: 10/27/2011 02:05 PM
Subject: RE: HQ-FOI-00469-10

Dana,

Thank you for the response. To clarify, is it your estimate that processing of HQ-FOI-00469-10 will be completed in full by February 2012, with "rolling responses" to be produced between now and then, or that we can expect to not receive the second "rolling response" until completion in February?

SLF appreciates that our request may require the processing of voluminous materials. If it becomes feasible to narrow or otherwise modify our original request, I will contact you with that information.

Also, we are willing to accept EPA's response in phases, if it will allow us to begin receiving responsive documents more quickly. Ms.

Kruger's July 16, 2010, letter said the enclosed rolling response was "the first set and others will follow as they become available." I would like to confirm whether EPA's processing since July 2010 has produced additional responsive documents and, if so, whether the EPA is prepared to release what is available now.

Amy L. Macrina, Esq.
Litigation Fellow
Southeastern Legal Foundation
2255 Sewell Mill Road
Suite 320
Marietta, Georgia 30062
telephone: 770-977-2131
facsimile: 770-977-2134
www.southeasternlegal.org
www.epalawsuit.org

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Please contact us immediately by return e-mail or at 770-977-2131 and destroy the original transmission and its attachments without reading or saving in any manner.

New IRS rules restrict written federal tax advice from lawyers and accountants. We include this statement in all outbound emails because even inadvertent violations may be penalized. Nothing in this message is intended to be used, or may be used, to avoid any penalty under federal tax laws. This message was not written to support the

promotion or marketing of any transaction. Please contact a tax attorney to obtain formal written advices on tax issues.

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

From: Hyland.Dana@epamail.epa.gov [mailto:Hyland.Dana@epamail.epa.gov]

Sent: Thursday, October 27, 2011 1:40 PM

To: Amy L Macrina

Cc: Birnbaum.Rona@epamail.epa.gov

Subject: Re: HQ-FOI-00469-10

Ms. Macrina,

Thank you for contacting us about your Freedom of Information Act (FOIA) request (HQ-FOI-00469-10). At this time, the Agency is diligently processing this FOIA request.

As you may know, prior to the July 16, 2010 letter you mention in your email, I participated in a call with Ms. Goessling and Carol Holmes, of EPA. During this call we conveyed to the Southeastern Legal Foundation (SLF) that the search EPA conducted turned up over 8,000 potentially responsive documents. Due to the voluminous number of documents, we asked Ms. Goessling if she would consider modifying or narrowing the request to better focus on the issues you wish to be addressed. This would also reduce the processing time.

In addition, some responsive documents for this FOIA request overlap with another request that is currently in litigation.

With these issues, we continue to process SLF's FOIA request, but any narrowing would greatly help our efforts. Please let me know if this is something SLF is willing to consider. We would be happy to have a conversation with you to further discuss the processing of this FOIA request.

Given the voluminous amount of documents and related litigation, we believe will be able to complete the FOIA request by February 2012. Of course, as we continue to process this request, we will let SLF know if we can respond sooner. As noted earlier, if SLF would like to modify its request so that it may be processed sooner, please contact us.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

From: Amy L Macrina <amacrina@southeasternlegal.org>
To: Dana Hyland/DC/USEPA/US@EPA
Cc: Shannon Goessling <Shannon@southeasternlegal.org>, Jovette Ayers <jayers@southeasternlegal.org>
Date: 10/25/2011 12:04 PM
Subject: HQ-FOI-0469-10

Ms. Hyland,

I am a Litigation Fellow with Southeastern Legal Foundation, Inc., and I have taken over management of outstanding FOIA matters for SLF. I am contacting you about a FOIA request to your agency which originated in December, 2009, and which remains incomplete.

Regarding HQ-FOI-0469-10, the most recent communications from your office to SLF were a grant of fee waiver by Mr. Kevin Miller on February 3, 2010, and a partial release of responsive documents (called a "rolling response" by Director Dina Kruger) on July 16, 2010. Since July 16, 2010, we have received no further contact from you or from Ms. Kruger, and we have received no more "rolling responses" to our original request for information re. the EPA's Endangerment Findings.

At this time, which is more than 400 days since your office's last communication to SLF on this matter, we must ask for an update on the status of our still-pending FOIA request, including your estimates of how long completion of processing on the request will take.

Please do not hesitate to call me to discuss this matter if you have any questions. I look forward to working with you to get this FOIA request processed as soon as possible.

Amy L. Macrina, Esq.
Litigation Fellow
Southeastern Legal Foundation
2255 Sewell Mill Road
Suite 320
Marietta, Georgia 30062
telephone: 770-977-2131
facsimile: 770-977-2134
www.southeasternlegal.org
www.epalawsuit.org

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New IRS rules restrict written federal tax advice from lawyers and accountants. We include this statement in all outbound emails because even inadvertent violations may be penalized. Nothing in this message is intended to be used, or may be used, to avoid any penalty under federal tax laws. This message was not written to support the promotion or marketing of any transaction. Please contact a tax attorney to obtain formal written advices on tax issues.

EXHIBIT “E”

Amy L Macrina

From: Hyland.Dana@epamail.epa.gov
Sent: Tuesday, November 29, 2011 1:58 PM
To: Shannon Goessling
Cc: Birnbaum.Rona@epamail.epa.gov; Amy L. Macrina; Jovette Ayers;
FOIA_HQ@epamail.epa.gov
Subject: HQ-FOI-00469-10
Attachments: 2011.11.29 SLF Response.pdf; 2011.11.29 SLF Release.pdf
Categories: Printed for file

Dear Ms. Goessling:

Attached please find our next rolling response to your FOIA request and a cover letter.

Sincerely,

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

(See attached file: 2011.11.29 SLF Response.pdf)(See attached file:
2011.11.29 SLF Release.pdf)



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

NOV 29 2011

OFFICE OF
AIR AND RADIATION

Ms. Shannon Goessling
Southeastern Legal Foundation
2255 Sewell Mill Road
Suite 320
Marietta, Georgia 30062

RE: Freedom of Information Act Request HQ-FOI-00469-10

Dear Ms. Goessling:

Enclosed please find another installment of EPA's rolling response to the above referenced Freedom of Information Act (FOIA) request, which asks for documents related to EPA's endangerment and cause or contribute findings under Section 202(a) of the Clean Air Act.

As noted above, EPA is providing its response to this FOIA Request on a rolling basis. Thus the final installment of our response will contain language closing out the FOIA and providing for rights of appeal at that time.

Please contact Dana Hyland at hyland.dana@epa.gov or 202-343-9963 should you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Rona Birnbaum".

Rona Birnbaum, Acting Director
Climate Change Division

cc: Headquarters FOIA Office
Enclosure

Amy L Macrina

From: Dana Hyland [Hyland.Dana@epamail.epa.gov]
Sent: Thursday, January 26, 2012 5:07 PM
To: Shannon Goessling
Cc: Amy L Macrina; FOIA HQ; Jovette Ayers; Rona Birnbaum
Subject: HQ-FOI-00469-10
Attachments: 2012.01.26 SLF Response.pdf; 2012.01.26 SLF Release.pdf
Categories: Printed for file

Dear Ms. Goessling:

Attached please find our next rolling response to your FOIA request and a cover letter.

Sincerely,

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

(See attached file: 2012.01.26 SLF Response.pdf)(See attached file:
2012.01.26 SLF Release.pdf)



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

JAN 26 2012

OFFICE OF
AIR AND RADIATION

Ms. Shannon Goessling
Southeastern Legal Foundation
2255 Sewell Mill Road
Suite 320
Marietta, Georgia 30062

RE: Freedom of Information Act Request HQ-FOI-00469-10

Dear Ms. Goessling:

Enclosed please find another installment of EPA's rolling response to the above referenced Freedom of Information Act (FOIA) request, which asks for documents related to EPA's endangerment and cause or contribute findings under Section 202(a) of the Clean Air Act.

As noted above, EPA is providing its response to this FOIA Request on a rolling basis. Thus the final installment of our response will contain language closing out the FOIA and providing for rights of appeal at that time.

Please contact Dana Hyland at hyland.dana@epa.gov or 202-343-9963 should you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Rona Birnbaum".

Rona Birnbaum, Acting Director
Climate Change Division

cc: Headquarters FOIA Office
Enclosure

Amy L Macrina

From: Hyland.Dana@epamail.epa.gov
Sent: Tuesday, January 31, 2012 3:51 PM
To: Shannon Goessling
Cc: Amy L Macrina; FOIA_HQ@epamail.epa.gov; Jovette Ayers; Birnbaum.Rona@epamail.epa.gov
Subject: HQ-FOI-00469-10
Attachments: 2012.01.31 SLF Response.pdf; 2012.01.31 SLF Release.pdf
Categories: Printed for file

Dear Ms. Goessling:

Attached please find our next rolling response to your FOIA request and a cover letter.

Sincerely,

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

(See attached file: 2012.01.31 SLF Response.pdf)(See attached file:
2012.01.31 SLF Release.pdf)



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

JAN 31 2012

OFFICE OF
AIR AND RADIATION

Ms. Shannon Goessling
Southeastern Legal Foundation
2255 Sewell Mill Road
Suite 320
Marietta, Georgia 30062

RE: Freedom of Information Act Request HQ-FOI-00469-10

Dear Ms. Goessling:

Enclosed please find another installment of EPA's rolling response to the above referenced Freedom of Information Act (FOIA) request, which asks for documents related to EPA's endangerment and cause or contribute findings under Section 202(a) of the Clean Air Act.

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Please contact Dana Hyland at hyland.dana@epa.gov or 202-343-9963 should you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Rona Birnbaum".

Rona Birnbaum, Acting Director
Climate Change Division

cc: Headquarters FOIA Office
Enclosure

Amy L Macrina

From: Dana Hyland [Hyland.Dana@epamail.epa.gov]
Sent: Wednesday, February 29, 2012 11:30 PM
To: Shannon Goessling
Cc: Amy L Macrina; FOIA HQ; Jovette Ayers; Rona Birnbaum
Subject: HQ-FOI-00469-10
Attachments: 2012.02.29 SLF Response.pdf; 2012.02.29 SLF Release_Part 1.pdf
Categories: Printed for file

Dear Ms. Goessling:

Attached please find our final installment of our rolling response to your FOIA request and a cover letter. Due to attachment size, I will send the releases across several emails.

Sincerely,

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

(See attached file: 2012.02.29 SLF Response.pdf)(See attached file:
2012.02.29 SLF Release_Part 1.pdf)

From: Dana Hyland/DC/USEPA/US
To: Shannon Goessling <Shannon@southeasternlegal.org>
Cc: Amy L Macrina <amacrina@southeasternlegal.org>, FOIA HQ@EPA,
Jovette Ayers <jayers@southeasternlegal.org>, Rona
Birnbaum/DC/USEPA/US@EPA
Date: 02/29/2012 11:37 PM
Subject: Re: HQ-FOI-00469-10

Part 2

[attachment "2012.02.29 SLF Release_Part 2.pdf" deleted by Dana Hyland/DC/USEPA/US]

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

From: Dana Hyland/DC/USEPA/US
To: Shannon Goessling <Shannon@southeasternlegal.org>
Cc: Amy L Macrina <amacrina@southeasternlegal.org>, FOIA HQ@EPA,
Jovette Ayers <jayers@southeasternlegal.org>, Rona
Birnbaum/DC/USEPA/US@EPA
Date: 02/29/2012 11:30 PM
Subject: HQ-FOI-00469-10

Dear Ms. Goessling:

Attached please find our final installment of our rolling response to your FOIA request and a cover letter. Due to attachment size, I will send the releases across several emails.

Sincerely,

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

[attachment "2012.02.29 SLF Response.pdf" deleted by Dana Hyland/DC/USEPA/US] [attachment "2012.02.29 SLF Release_Part 1.pdf" deleted by Dana Hyland/DC/USEPA/US]

[attachment "2012.02.29 SLF Release_Part 5.pdf" deleted by Dana Hyland/DC/USEPA/US]

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

From: Dana Hyland/DC/USEPA/US
To: Shannon Goessling <Shannon@southeasternlegal.org>
Cc: Amy L Macrina <amacrina@southeasternlegal.org>, FOIA HQ@EPA,
Jovette Ayers <jayers@southeasternlegal.org>, Rona
Birnbaum/DC/USEPA/US@EPA
Date: 02/29/2012 11:57 PM
Subject: Re: HQ-FOI-00469-10

Part 4

[attachment "2012.02.29 SLF Release_Part 4.pdf" deleted by Dana Hyland/DC/USEPA/US]

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

From: Dana Hyland/DC/USEPA/US
To: Shannon Goessling <Shannon@southeasternlegal.org>
Cc: Amy L Macrina <amacrina@southeasternlegal.org>, FOIA HQ@EPA,
Jovette Ayers <jayers@southeasternlegal.org>, Rona
Birnbaum/DC/USEPA/US@EPA
Date: 02/29/2012 11:52 PM
Subject: Re: HQ-FOI-00469-10

Part 3

[attachment "2012.02.29 SLF Release_Part 3.pdf" deleted by Dana Hyland/DC/USEPA/US]

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

Amy L Macrina

From: Dana Hyland [Hyland.Dana@epamail.epa.gov]
Sent: Thursday, March 01, 2012 12:53 AM
To: Shannon Goessling
Cc: Amy L Macrina; FOIA HQ; Jovette Ayers; Rona Birnbaum
Subject: Re: HQ-FOI-00469-10
Attachments: 2012.02.29 SLF Release_Part 7.pdf

Part 7 - this is the final email

(See attached file: 2012.02.29 SLF Release_Part 7.pdf)

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

From: Dana Hyland/DC/USEPA/US
To: Shannon Goessling <Shannon@southeasternlegal.org>
Cc: Amy L Macrina <amacrina@southeasternlegal.org>, FOIA HQ@EPA,
Jovette Ayers <jayers@southeasternlegal.org>, Rona
Birnbaum/DC/USEPA/US@EPA
Date: 03/01/2012 12:33 AM
Subject: Re: HQ-FOI-00469-10

Part 6

[attachment "2012.02.29 SLF Release_Part 6.pdf" deleted by Dana Hyland/DC/USEPA/US]

Dana Hyland
Climate Change Division
Environmental Protection Agency
hyland.dana@epa.gov
phone: 202-343-9963

From: Dana Hyland/DC/USEPA/US
To: Shannon Goessling <Shannon@southeasternlegal.org>
Cc: Amy L Macrina <amacrina@southeasternlegal.org>, FOIA HQ@EPA,
Jovette Ayers <jayers@southeasternlegal.org>, Rona
Birnbaum/DC/USEPA/US@EPA
Date: 03/01/2012 12:27 AM
Subject: Re: HQ-FOI-00469-10

Part 5

EXHIBIT A-23



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

OFFICE OF
GENERAL COUNSEL

March 30, 2012

Amy Macrina
Southeastern Legal Foundation
2255 Sewell Mill Road - Suite 320
Marietta, GA 30062

Re: Freedom of Information Act Appeal HQ-FOI-00649-10-A (HQ-APP-00088-12)

Dear Ms. Macrina:

This letter is being sent to acknowledge receipt of your appeal received in the Office of General Counsel on March 30, 2012.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Bruce".

Barbara Bruce
FOIA Specialist
General Law Office

EXHIBIT A-24



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

MAY 01 2012

OFFICE OF
GENERAL COUNSEL

Ms. Amy Macrina
Southeastern Legal Foundation
2255 Sewell Mill Road – Suite 320
Marietta, GA 30062

Re: Freedom of Information Act Appeal HQ-FOI-00649-10-A (HQ-APP-00088-12)

Dear Ms. Macrina:

I am responding to your March 30, 2012 Freedom of Information Act (“FOIA”) appeal. You appealed the February 29, 2012 decision of Rona Birnbaum, Acting Director of the Climate Change Division within the U.S. Environmental Protection Agency (“EPA” or “Agency”), to deny in part the request you submitted to EPA on December 18, 2009. In your initial FOIA request, you sought the following information:

1. Written and electronic correspondence, memoranda, data, or reports created by any employee, agent, or consultant of the EPA that discusses the timing of the following (hereinafter collectively “Endangerment Findings”) released by EPA on December 7, 2009:
 - a. Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases – carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆) – in the atmosphere threaten the public health and welfare of the current and future generations; and
 - b. Cause or Contribute Finding: The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

The February 29 decision stated that your request was denied in part because the documents were exempted from disclosure under Exemptions 5 (deliberative process, attorney-client, and attorney work product privileges) and 6 (personal privacy) of the FOIA. 5 U.S.C. §§ 552(b)(5), (6). Furthermore, EPA withheld portions of 20 records as “not responsive” that contained internal website, username, passcodes, or conference lines information.

Ms. Amy Macrina
Southeastern Legal Foundation
HQ-FOI-00649-10-A (HQ-APP-00088-12)

In your March 30 letter, you appealed EPA's withholdings by arguing: (1) the released information "does nothing to grant access to or increase the understanding of the general public regarding governmental functions and activities *which have already occurred*"; (2) "EPA could have used its discretion to release information covered by the exemptions, in the interests of openness and accessibility"; and (3) EPA's withholdings under Exemption 5 provided no information to evaluate EPA's reliance under Exemption 5.

I have carefully considered your FOIA request, EPA's February 29 decision, and your March 30 appeal. For the reasons set forth below, I have determined that your appeal should be, and is, partially granted and denied in part.

Granted

I have determined that portions of twenty-five records may be released. Your appeal is therefore granted with regard to the portions of these twenty-five records, which are enclosed with this letter. The remainder of the responsive records or portions of records will continue to be withheld.

Exemption 5

Exemption 5 of the FOIA protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." 5 U.S.C. § 552(b)(5). The records, or portions of records, that were withheld under Exemption 5 of the FOIA are exempt from disclosure because they are inter-agency or intra-agency memoranda or letters generated by EPA employees and because the documents contain information that is protected by the attorney work product, attorney-client, and deliberative process privileges.

Attorney Work Product Privilege

Exemption 5 of the FOIA protects the disclosure of a record, or portion of a record, that is subject to the attorney work product privilege. The attorney work product privilege protects documents prepared by, or at the direction of, an attorney in anticipation of litigation or during litigation. EPA attorneys prepared the twenty-five withheld records and portions of records in anticipation of litigation. Release of this material would allow scrutiny of EPA's sensitive litigation preparations. Therefore, I have determined that the withheld material is exempt from disclosure under Exemption 5 of the FOIA.

Attorney-Client Privilege

Exemption 5 protects from disclosure a record, or portion of a record, that is subject to the attorney-client privilege. The attorney-client privilege protects confidential communications between an attorney and his/her client relating to a legal matter for which the client has sought professional advice. The privilege applies to facts divulged by a client to the attorney, to opinions given by the attorney to the client based upon those facts, and to communications

Ms. Amy Macrina
Southeastern Legal Foundation
HQ-FOI-00649-10-A (HQ-APP-00088-12)

between attorneys which reflect client-supplied information. The seventy withheld records, or portions of records, are protected by the attorney-client privilege because they constitute communications between EPA attorneys and their clients. Release of this withheld material would allow scrutiny of sensitive, confidential communication between the attorneys and the client. Therefore, I have determined that the withheld material is exempt from disclosure under the attorney-client privilege of Exemption 5 of the FOIA.

Deliberative Process Privilege

Exemption 5 of the FOIA also protects from disclosure a record, or portion of a record, that is subject to the deliberative process privilege. The deliberative process privilege protects documents that are both predecisional and deliberative. The 7,899 withheld records, or portions of records, are protected by the deliberative process privilege because the records are (1) predecisional since they were antecedent to the adoption of the Endangerment Finding; and (2) deliberative because they reflect internal discussion, advice, analysis, and recommendations that were considered during EPA's decision-making process related to the Endangerment Finding. Release of the withheld material would discourage open, frank discussions on matters of policy between subordinates and superiors, prematurely disclose proposed policies before they are finally adopted, and cause public confusion by disclosing reasons that were not in fact ultimately the grounds for EPA's actions. Therefore, I have determined that the withheld material is exempt from disclosure under the deliberative process privilege of Exemption 5 of the FOIA.

Exemption 6

Exemption 6 of the FOIA protects "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." The 725 withheld records, or portions of records are within the scope of the phrase "personnel and medical files and similar files" because they contain information that applies to particular individuals, including personal email addresses, cell phone numbers, home phone numbers, personal medical information related to the health of an employee or a family member, and employee's use of leave of a non-medical nature.

In balancing the public's right to disclosure against the individual's right to privacy, a comparison must be made between the extent to which the documents shed light on EPA's performance of its statutory duties, and the need to avoid disclosure on personal matters. In this case, the withheld information relates to personal contact information of EPA employees, medical information, or employee's use of leave. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. In addition, there is no public interest in individuals' personal contact information, medical information, or use of leave. The withheld information does not shed light on the employees' performance of official duties. Therefore, the harm to the individuals as a result of disclosure clearly outweighs the public interest in such disclosure. For these reasons, I have determined that the withheld material is exempt from disclosure under Exemption 6 of the FOIA.

Ms. Amy Macrina
Southeastern Legal Foundation
HQ-FOI-00649-10-A (HQ-APP-00088-12)

Reasonably Segregable Information

I have further determined that there is no other reasonably segregable nonexempt information.

This letter constitutes EPA's final determination on your appeal. In accordance with 5 U.S.C. § 552(a)(4)(B), you have the right to seek judicial review of this determination by instituting an action in the district court of the United States in the district in which you reside, or have your principle place of business, or in which the Agency records are situated, or in the District of Columbia. As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) within the National Archives and Records Administration was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD, 20740-6001; e-mail, ogis@nara.gov; telephone, 301-837-1996 or 1-877-684-6448; and facsimile, 301-837-0348.

Please call Quoc Nguyen at (202) 564-6343 if you have any questions concerning this matter.

Sincerely,



Kevin Miller
Assistant General Counsel
General Law Office

cc: Rona Birnbaum, Acting Director, Climate Change Division
Dana Hyland, Special Assistant, Climate Change Division
Larry Gottesman, National FOIA Officer, Freedom of Information Office

EXHIBIT A-25

EPA-47

Rona
Birnbaum/DC/USEPA/US
04/20/2009 08:49 AM

To Ben DeAngelo, Jason Samenow, Jeremy Martinich, Marcus
Sarofim, William Perkins, David Chalmers

cc

bcc

Subject Fw: Letter to EPA re. GHG Endangerment Finding

a very early submittal to the docket... (b)(5) Deliberative

----- Forwarded by Rona Birnbaum/DC/USEPA/US on 04/20/2009 08:42 AM -----

From: Brian Mclean/DC/USEPA/US
To: Dina Kruger/DC/USEPA/US@EPA
Cc: Rona Birnbaum/DC/USEPA/US@EPA
Date: 04/19/2009 07:58 PM
Subject: Fw: Letter to EPA re. GHG Endangerment Finding

I waited a couple days to forward this to you. Wanted you to be able to enjoy at least a couple days of endangerment finding celebration.

----- Forwarded by Brian Mclean/DC/USEPA/US on 04/19/2009 07:55 PM -----

From: Sarah Burt <sburt@earthjustice.org>
To: LisaP Jackson/DC/USEPA/US@EPA, Margo Oge/DC/USEPA/US@EPA, Brian
Mclean/DC/USEPA/US@EPA, GHG-Endangerment-Docket@EPA
Cc: "Bilsky, Eric" <ebilsky@oceana.org>, "Savitz, Jackie" <JSavitz@oceana.org>,
"ksiegel@biologicaldiversity.org" <ksiegel@biologicaldiversity.org>, "Fugere, Danielle"
<DFugere@foe.org>, Martin Wagner <mwagner@earthjustice.org>
Date: 04/17/2009 06:33 PM
Subject: Letter to EPA re. GHG Endangerment Finding

Dear Administrator Jackson, Director Oge and Director McLean,

Attached please find a letter from Earthjustice on behalf of Oceana, Center for Biological Diversity and Friends of the Earth regarding today's GHG Endangerment Finding. A hard copy has been sent by certified mail.

Sincerely,

Sarah Burt

Sarah Burt
Senior Associate Attorney
Earthjustice
426 17th Street, 6th Floor
Oakland, CA 94612
T: 510-550-6755
F: 510-550-6740

EPA-EF-005829

EPA-50

David
Chalmers/DC/USEPA/US
04/21/2009 05:52 PM

To Erin Birgfeld
cc Ben DeAngelo, Jason Samenow, Rona Birnbaum
bcc

Subject Re: Fw: More comments from OAQPS

Lovely. Please let me know what email address/hotline these were originally sent to, so that I may reference it in my replies.

Strange that we're getting almost as many emails to random places as we are to the GHG address.

David Chalmers
ORISE Fellow
U.S. EPA, Climate Change Division
202.343.9814

Erin Birgfeld Hi David, Some more emails on the en... 04/21/2009 05:46:54 PM

From: Erin Birgfeld/DC/USEPA/US
To: David Chalmers/DC/USEPA/US@EPA
Cc: Rona Birnbaum/DC/USEPA/US@EPA, Ben DeAngelo/DC/USEPA/US@EPA, Jason Samenow/DC/USEPA/US@EPA
Date: 04/21/2009 05:46 PM
Subject: Fw: More comments from OAQPS

Hi David,

Some more emails on the endangerment proposal that came in through the OAQPS website. I'm ccing others in case they want to read about how Al Gore is a pig fornicator ;c)

-Erin

Erin Birgfeld
Acting Director of Communications
Climate Change Division
U.S. Environmental Protection Agency
phone: (202) 343-9079
fax: (202) 343-2202

----- Forwarded by Erin Birgfeld/DC/USEPA/US on 04/21/2009 05:44 PM -----

From: Jonathan Lubetsky/DC/USEPA/US
To: Erin Birgfeld/DC/USEPA/US@EPA
Cc: Danielle Smith/DC/USEPA/US@EPA
Date: 04/21/2009 04:51 PM
Subject: More comments from OAQPS

A lot in one string for you.

EPA-EF-005830

Browser: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 6.0; GTB5; SLCC1; .NET CLR 2.0.50727; Media Center PC 5.0; .NET CLR 3.5.30729; .NET CLR 3.0.30618)
Referred: <http://www.epa.gov/air/oarmail2.html>
TSSMS: airprogm
Mail to File: oarcomments.txt

----- Forwarded by Jonathan Lubetsky/DC/USEPA/US on 04/21/2009 04:48 PM -----

From: Tom Dessent/RTP/USEPA/US
To: Jonathan Lubetsky/DC/USEPA/US@EPA
Date: 04/21/2009 04:24 PM
Subject: Fw: (106171528) Air Comment from Melanie S.

----- Forwarded by Tom Dessent/RTP/USEPA/US on 04/21/2009 04:24 PM -----

"idaemon.rtpnc.epa.gov"
<idaemon@unixpub.epa.gov> To OAR Comments@EPA
04/17/2009 05:15 PM cc
Subject (106171528) Air Comment from Melanie S.

Comment

Is the EPA completely insane? Today I hear on the news that you people have declared greenhouse gases a threat to human health. Does anybody there know anything about basic science? Greenhouse gases are necessary to sustain life on earth. Humans exhale CO2 every time we breathe. Plants must live off CO2. Contrary to media reports, carbon dioxide is NOT the most prevalent greenhouse gas by volume in earth's atmosphere - WATER VAPOR is! Many scientists disagree that the very small amount of global warming so far is caused by humans. The EPA has regulatory powers that are un-constitutional. Global warming regulations will wreck what is left of our ailing economy. Somebody please stop the insanity!

Email_of_commentor

(b)(6)

Name_of_commentor

Melanie S.

Org_of_commentor

n/a

Previous_page

<http://www.epa.gov/lawsregs/contact.html>

WARNING NOTICE

This electronic mail originated from a federal government computer system of the United States Environmental Protection Agency (EPA). Unauthorized access or use of this EPA system may subject violators to criminal, civil and/or administrative action. For official purposes, law enforcement and other authorized personnel may monitor, record, read, copy and disclose all information which an EPA system processes. Any person's access or use, authorized and unauthorized, of this EPA system to send electronic mail constitutes consent to these terms.

terms.

This information is for tracking purposes only.
Submitting script: /cgi-bin/mail.cgi
Submitting host: hbrd-04-213.dsl.netins.net (208.126.185.213)
Browser: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; GTB5; .NET CLR 1.1.4322)
Referred: http://www.epa.gov/air/oarmail2.html
TSSMS: airprogm
Mail to File: oarcomments.txt

----- Forwarded by Jonathan Lubetsky/DC/USEPA/US on 04/21/2009 04:48 PM -----

From: Tom Dessent/RTP/USEPA/US
To: Jonathan Lubetsky/DC/USEPA/US@EPA
Date: 04/21/2009 04:25 PM
Subject: Fw: (106181128) Air Comment from Derek Dreier

----- Forwarded by Tom Dessent/RTP/USEPA/US on 04/21/2009 04:25 PM -----

"idaemon.rtpnc.epa.gov"
<idaemon@unixpub.epa.gov> To OAR Comments@EPA
04/17/2009 06:11 PM cc
Subject (106181128) Air Comment from Derek Dreier

Comment

I heard on the news about your claiming that CO2 is a danger to the environment. This nonsense has gone too far and I never thought that I would be against an agency such as yours, but I am now going to actively talk to my lawmakers to have your agency defunded. I am sick of this fascist environmentalism. It is about time that all you bureaucrats get thrown out and the government returned to the people. I am sending emails to my congressmen today and several of my organizational groups. This deranged garbage needs to stop and the EPA needs to focus on real public threats not political movements.

Email_of_commentor

(b)(6)

Name_of_commentor

Derek Dreier

Org_of_commentor

Previous_page

<http://www.epa.gov/lawsregs/contact.html>

WARNING NOTICE

This electronic mail originated from a federal government computer system of the United States Environmental Protection Agency (EPA). Unauthorized access or use of this EPA system may subject violators to criminal, civil and/or administrative action. For official purposes, law enforcement and other authorized personnel

EPA-EF-005832

(b)(6)

Name_of_commentor
Scott Rush
Org_of_commentor

Previous_page
<http://www.epa.gov/lawsregs/contact.html>

WARNING NOTICE

This electronic mail originated from a federal government computer system of the United States Environmental Protection Agency (EPA). Unauthorized access or use of this EPA system may subject violators to criminal, civil and/or administrative action. For official purposes, law enforcement and other authorized personnel may monitor, record, read, copy and disclose all information which an EPA system processes. Any person's access or use, authorized and unauthorized, of this EPA system to send electronic mail constitutes consent to these terms.

This information is for tracking purposes only.

Submitting script: /cgi-bin/mail.cgi

Submitting host: 75-32.9-67.se.res.rr.com (67.9.32.75)

Browser: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 6.0; WOW64; SLCC1; .NET CLR 2.0.50727; Media Center PC 5.0; .NET CLR 3.5.21022; .NET CLR 3.5.30729; .NET CLR 3.0.30618)

Referred: <http://www.epa.gov/air/oarmail2.html>

TSSMS: airprogm

Mail to File: oarcomments.txt

Cc: "Mae Thomas" <Mae.Thomas@erg.com>, "Tracy Parham" <Tracy.Parham@erg.com>

Date: 06/12/2009 09:26 AM

Subject: (b)(5) Deliberative

Bill, in the attached zip files I have about 25 files. I have erred on the side of more than less. I have divided them into three categories:

1. Unique - Indepth: (b)(5) Deliberative

[Redacted]

[Redacted]

2. References not Unique: (b)(5) Deliberative

[Redacted]

[Redacted]

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

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

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

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

This Email message contained an attachment named Letters not Unique.zip, References not Unique.zip, Unique - Indepth.zip which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

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

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

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

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

(b)(5) Deliberative

(b)(5) Deliberative

(b)(5) Deliberative

Unique - Indepth.zzp Letters Not Unique.zzp References Not Unique.zzp

EPA-343

**Marcus
Sarofim/DC/USEPA/US**
07/29/2009 10:26 PM

To William Perkins
cc
bcc

Subject fyi, comment responses so far

Since we'll be talking about this stuff tomorrow, I thought I'd throw my work so far your way. Have a good evening!

(b) 5 deliberative

ResponseDraft.doc

Marcus C. Sarofim, PhD
phone: 202-343-9993
fax: 202-343-2202
1310 L Street 256C
AAAS Science & Technology Policy Fellow
with the EPA Climate Division

EPA-EF-005836

EPA-517

**Rona
Birnbaum/DC/USEPA/US**
08/27/2009 03:19 PM

To Lesley Jantarasami
cc
bcc

Subject Fw: schedules (examples)

just examples from MRR for how to approach schedules...internal.
Can you help me revise our schedule and keep in current?

----- Forwarded by Rona Birnbaum/DC/USEPA/US on 08/27/2009 03:19 PM -----

From: Suzanne Kocchi/DC/USEPA/US
To: Rona Birnbaum/DC/USEPA/US@EPA
Date: 08/27/2009 02:04 PM
Subject: schedules

(b)(5) Deliberative

(b)(5) Deliberative

(b)(5) Deliberative

summer schedule v2.xls rulemaking schedule.xls Schedule_Finalv2.xls

1200 Pennsylvania Ave. NW MC2822T
Washington, DC 20460
202-566-1637
johnston.robert@epa.gov

EPA-533

Ben DeAngelo/DC/USEPA/US To Rona Birnbaum
08/28/2009 12:19 PM cc Lesley Jantarasami
bcc
Subject Re: Fw: schedules

I will tentatively say that (b)(5) Deliberative

(b)(5) Deliberative

Rona Birnbaum ben, Lesley and I sat down last evenin... 08/28/2009 12:12:36 PM

From: Rona Birnbaum/DC/USEPA/US
To: Ben DeAngelo/DC/USEPA/US@EPA
Cc: Lesley Jantarasami/DC/USEPA/US@EPA
Date: 08/28/2009 12:12 PM
Subject: Fw: schedules

ben, Lesley and I sat down last evening and revised this. Please have a look asap and let me know if you have any changes. I want to give it to dina soon!

----- Forwarded by Rona Birnbaum/DC/USEPA/US on 08/28/2009 12:02 PM -----

From: Lesley Jantarasami <ljantarasami@gmail.com>
To: Rona Birnbaum/DC/USEPA/US@EPA
Date: 08/28/2009 11:22 AM
Subject: schedules

(b)(5) Deliberative

(b)(5) Deliberative

Endangerment Schedule_External.doc Endangerment Schedule_Internal.doc

EPA-540

David
Chalmers/DC/USEPA/US
08/31/2009 02:49 PM

To William Perkins
cc
bcc
Subject Re: draft section 15 edits

De nada, el placer es mio. [REDACTED] (b)(5) Deliberative

saludos,

David Chalmers
ORISE Fellow
U.S. EPA, Climate Change Division
202.343.9814

William Perkins David, Thank you very much; I will look at this as... 08/31/2009 02:45:37 PM

From: William Perkins/DC/USEPA/US
To: David Chalmers/DC/USEPA/US@EPA
Date: 08/31/2009 02:45 PM
Subject: Re: draft section 15 edits

David,

Thank you very much; I will look at this as soon as I can. You crank these things out so fast it is ridiculous.

Cheers,

Bill

Bill Perkins
Climate Change Adaptation Analyst
Climate Science and Impacts Branch
Climate Change Division
U.S. Environmental Protection Agency
perkins.william@epa.gov
(O) 202.343.9460
(F) 202.343.2202
(C) [REDACTED] (b)(6)

David Chalmers [attachment "Section 15_draft edits.doc" deleted... 08/31/2009 02:33:34 PM

From: David Chalmers/DC/USEPA/US
To: William Perkins/DC/USEPA/US@EPA
Date: 08/31/2009 02:33 PM
Subject: draft section 15 edits

[attachment "Section 15_draft edits.doc" deleted by William Perkins/DC/USEPA/US]

EPA-EF-005840

EPA-609

"Mae Thomas"
<Mae.Thomas@erg.com>
09/08/2009 11:27 AM

To William Perkins
cc "Mae Thomas"
bcc

Subject Fwd: Carol Holmes Document is attached...

Bill, here is the file with the Legal Comments.

Thanks
Mae

>>> Jody Tisano 9/8/2009 11:18 AM >>>
Hi Mae,

Here is the legal file for Carol Holmes.

Thanks,

Jody

Jody Tisano
ERG
1600 Perimeter Park
Morrisville, NC 27560
(919) 468-7900

(b)(5) Deliberative ACP AWP

E-mail: Jody.Tisano@erg.com Categories_Carol Holmes-9-8-09.doc

EPA-926

Lesley
Jantarasami/DC/USEPA/US
09/28/2009 03:43 PM

To Jeremy Martinich, Michael Kolian
cc
bcc
Subject redistributed comments

Hi guys,

A couple more comments for your various categories (let me know if you don't agree with any of the placements). I already sent a list to Bill in a separate email.

(b)(5) Deliberative

Redistrib 092809 Section9.5_Jeremy and Mike.doc

Thanks!

Lesley

EPA-966

William
Perkins/DC/USEPA/US
10/01/2009 03:22 PM

To Lesley Jantarasami
cc Rona Birnbaum
bcc
Subject Fw: Tribal comments

Lesley,

Enclosed is the list of tribal comments (five, including two from the same person) that ERG was able to identify from the unique comments. -- they searched both the commenter's stated affiliation in the docket as well as the Group B and C comment excerpts to ascertain a commenter's identity. Of course, there may have been others who submitted unique comments and were tribal members or representing tribal organizations but did not identify themselves as such (as you know many commenters discuss tribal-related impacts issues in some way but are not necessarily a member of nor representing a tribe themselves).

Please let me know if you have any questions or concerns and thank you.

Cheers,

Bill

Bill Perkins
Climate Change Adaptation Analyst
Climate Science and Impacts Branch
Climate Change Division
U.S. Environmental Protection Agency
perkins.william@epa.gov
(O) 202.343.9460
(F) 202.343.2202
(C) (b)(6)

----- Forwarded by William Perkins/DC/USEPA/US on 10/01/2009 03:16 PM -----

From: "Mae Thomas" <Mae.Thomas@erg.com>
To: William Perkins/DC/USEPA/US@EPA
Cc: "Mae Thomas" <Mae.Thomas@erg.com>
Date: 10/01/2009 03:15 PM
Subject: Tribal comments

Bill, attached is the table we discussed with the list of commenters representing tribes. (b)(5) Deliberative

[Redacted]

Thanks

(b)(5) Deliberative

Mae Comments from Tribes.doc

organizations but did not identify themselves as such (as you know many commenters discuss tribal-related impacts issues in some way but are not necessarily a member of nor representing a tribe themselves).

Please let me know if you have any questions or concerns and thank you.

Cheers,

Bill

Bill Perkins
Climate Change Adaptation Analyst
Climate Science and Impacts Branch
Climate Change Division
U.S. Environmental Protection Agency
perkins.william@epa.gov
(O) 202.343.9460
(F) 202.343.2202
(C) (b)(6)

----- Forwarded by William Perkins/DC/USEPA/US on 10/01/2009 03:16 PM -----

From: "Mae Thomas" <Mae.Thomas@erg.com>
To: William Perkins/DC/USEPA/US@EPA
Cc: "Mae Thomas" <Mae.Thomas@erg.com>
Date: 10/01/2009 03:15 PM
Subject: Tribal comments

Bill, attached is the table we discussed with the list of commenters representing tribes. (b)(6)

Thanks

Mae[attachment "Comments from Tribes.doc" deleted by Rona Birnbaum/DC/USEPA/US]

To: Dina Kruger/DC/USEPA/US@EPA, Carol Holmes/DC/USEPA/US@EPA, John Hannon/DC/USEPA/US@EPA
Cc: Ben DeAngelo/DC/USEPA/US@EPA, Jason Samenow/DC/USEPA/US@EPA
Date: 11/13/2009 03:10 PM
Subject: additional comment from Hunton and Williams

FYI. OMB was cc'd on this.

----- Forwarded by Rona Birnbaum/DC/USEPA/US on 11/13/2009 03:07 PM -----

----- Forwarded by Jeremy Martinich/DC/USEPA/US on 11/13/2009 02:44 PM -----

From: "Wood, Allison" <awood@hunton.com>
To: Jeremy Martinich/DC/USEPA/US@EPA, Group A-AND-R-DOCKET@EPA
Cc: (b)(6), (b)(6)
Date: 11/13/2009 02:35 PM
Subject: Supplemental Comments for Docket No. EPA-HQ-OAR-2009-0171

Dear Mr. Martinich,

Attached please find supplemental comments of the Utility Air Regulatory Group on EPA's Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. Please contact me if you have any questions regarding these comments.

Sincerely,

Allison D. Wood, Esq.
Counsel to the Utility Air Regulatory Group

<<Final Additional Supplemental Comments on Proposed Endangerment Finding.pdf>> [attachment "Final Additional Supplemental Comments on Proposed Endangerment Finding.pdf" deleted by John Hannon/DC/USEPA/US]

Climate Change Division
1200 Pennsylvania Avenue, NW (6207J)
Washington, DC 20460
Phone: (202) 343-9261
Email: kolian.michael@epa.gov

Doug Grano---11/20/2009 03:56:34 PM---Michael-- My comments/edits are on the attached. I've discussed these with Bryan Bloomer who will b

From: Doug Grano/RTP/USEPA/US
To: Michael Kolian/DC/USEPA/US@EPA
Cc: Ben DeAngelo/DC/USEPA/US@EPA, Darrell Winner/DC/USEPA/US@EPA, Marcus Sarofim/DC/USEPA/US@EPA
Date: 11/20/2009 03:56 PM
Subject: Re: air quality vol 5

Michael--
My comments/edits are on the attached. I've discussed these with Bryan Bloomer who will be sending you comments separately. I think my comments are consistent with Bryan's.
--Doug

[attachment "RTC draft Volume 5 HH and AQ 111909_air1-dg.doc" deleted by Michael Kolian/DC/USEPA/US]

Michael Kolian---11/19/2009 04:55:57 PM---Hi Doug/Darrell, Here is a (b)(5) Deliberative

From: Michael Kolian/DC/USEPA/US
To: Doug Grano/RTP/USEPA/US@EPA, Darrell Winner/DC/USEPA/US@EPA
Cc: Ben DeAngelo/DC/USEPA/US@EPA, Marcus Sarofim/DC/USEPA/US@EPA
Date: 11/19/2009 04:55 PM
Subject: air quality vol 5

Hi Doug/Darrell,
Here is a (b)(5) Deliberative

1) this document contains the comment I sent you by email today. So you can just update or replace it in this document.

2) I have taken a stab at incorporating Dina comments and have left them in case you need to refer to them.

EPA-1993

Darrell Winner/DC/USEPA/US
11/20/2009 07:47 PM

To Doug Grano
cc Bryan Bloomer
bcc

Subject Re: Fw: air quality vol 5

Potential Impact of Climate Change on Air Pollution-Related Human Health Effects (2009) E. Tagaris, K.-J. Liao, A. J. DeLucia, L. Deck, P. Amar, A. G. Russell, Environmental Science & Technology 43 (13), 4979-4988

I can send a pdf when I'm back in the office Monday, but you should be able to access it online.

-darrell

Darrell Winner, Ph.D.
Director, Applied Science Division
National Center for Environmental Research
winner.darrell@epa.gov
phone 202-343-9748
fax 202-233-0677

Regular mail:
USEPA/ORD/NCER/ASD (8726F)
1200 Pennsylvania Ave NW
Washington, DC 20460-0001

FedEx/Courier:
USEPA/ORD/NCER/ASD
Room 3111
1025 F St NW
Washington, DC 20004

(Woodies Building / metro stop: Metro Center)

-----Doug Grano/RTP/USEPA/US wrote: -----

To: Darrell Winner/DC/USEPA/US@EPA, Bryan Bloomer/DC/USEPA/US@EPA
From: Doug Grano/RTP/USEPA/US
Date: 11/20/2009 02:32PM
Subject: Re: Fw: air quality vol 5

Please send me a copy of Tagaris 2009 when you get a chance
--Doug

Darrell Winner---11/19/2009 05:18:15 PM--Hi Chris and Anne,

(b)(5) Deliberative

From: Darrell Winner/DC/USEPA/US

EPA-EF-005847

(b)(5) Deliberative

1) this document contains the comment I sent you by email today. So you can just update or replace it in this document.

2) I have taken a stab at incorporating Dina comments and have left them in case you need to refer to them.

a) stuff in yellow is definitely for your input.

b) generally, the comments that don't say From Dina are from me or others which are for your input as well.

3) Please review all of the responses for accuracy ect.....

4) We'll send the next half tomorrow early in the day.

5) Deadline? Tomorrow afternoon or COB.

Are you guys around tomorrow?

Thanks so much for your help! Feel free to call me any time.....

[attachment "RTC draft Volume 5 HH and AQ 111909_air1.doc" deleted by Doug Grano/RTP/USEPA/US]

Michael Kolian, USEPA
Office of Atmospheric Programs
Climate Change Division
1200 Pennsylvania Avenue, NW (6207J)
Washington, DC 20460
Phone: (202) 343-9261
Email: kolian.michael@epa.gov

David Chalmers---11/20/2009 07:32:33 PM---I'll be here. Am crashing with Marcus to get through attribution. Hope to be able to move to health

Fro David Chalmers/DC/USEPA/US
m:

To: Ben DeAngelo/DC/USEPA/US@EPA

Cc: Jason Samenow/DC/USEPA/US@EPA, Jeremy Martinich/DC/USEPA/US@EPA, Lesley Jantarasami/DC/USEPA/US@EPA, Marcus Sarofim/DC/USEPA/US@EPA, Michael Kolian/DC/USEPA/US@EPA, Rona Birnbaum/DC/USEPA/US@EPA, William Perkins/DC/USEPA/US@EPA

Dat 11/20/2009 07:32 PM
e:

Sub Re: Tomorrow
ject:

I'll be here. Am crashing with Marcus to get through attribution. Hope to be able to move to health in the early afternoon.

David Chalmers
ORISE Fellow
U.S. EPA, Climate Change Division
202.343.9814

Ben DeAngelo---11/20/2009 07:30:48 PM---Will be working at home tomorrow: BB: 202-341-2392

Fro Ben DeAngelo/DC/USEPA/US
m:

To: Michael Kolian/DC/USEPA/US@EPA

Cc: David Chalmers/DC/USEPA/US@EPA, Jason Samenow/DC/USEPA/US@EPA, Jeremy Martinich/DC/USEPA/US@EPA, Lesley Jantarasami/DC/USEPA/US@EPA, Marcus Sarofim/DC/USEPA/US@EPA, Rona Birnbaum/DC/USEPA/US@EPA, William Perkins/DC/USEPA/US@EPA

Dat 11/20/2009 07:30 PM
e:

Sub Re: Tomorrow
ject:

Will be working at home tomorrow:

EPA-EF-005849

(b)(5) Deliberative

[attachment "EPA-HQ-OAR-2009-0171-3347.3.pdf" deleted by Michael Kolian/DC/USEPA/US]

(b)(5) Deliberative

----- Forwarded by Rona Birnbaum/DC/USEPA/US on 11/20/2009 05:40 PM -----

Fro Jason Samenow/DC/USEPA/US

m:

To: Lesley Jantarasami/DC/USEPA/US@EPA, Ben DeAngelo/DC/USEPA/US@EPA, David Chalmers/DC/USEPA/US@EPA, Jeremy Martinich/DC/USEPA/US@EPA, Marcus Sarofim/DC/USEPA/US@EPA, Michael Kolian/DC/USEPA/US@EPA, Rona Birnbaum/DC/USEPA/US@EPA, William Perkins/DC/USEPA/US@EPA

Dat 11/10/2009 07:07 PM

e:

Sub Fw: Major comment sets (b)(5) Deliberative
ject:

FYI-- I printed Idso...all 1200+ pages. Let me know if you want/need to borrow it at any point.

Jason

----- Forwarded by Jason Samenow/DC/USEPA/US on 11/10/2009 07:07 PM -----

Fro Jason Samenow/DC/USEPA/US

m:

To: Lesley Jantarasami/DC/USEPA/US@EPA, Ben DeAngelo/DC/USEPA/US@EPA, David Chalmers/DC/USEPA/US@EPA, Jeremy Martinich/DC/USEPA/US@EPA, Marcus Sarofim/DC/USEPA/US@EPA, Michael Kolian/DC/USEPA/US@EPA, Rona Birnbaum/DC/USEPA/US@EPA, William Perkins/DC/USEPA/US@EPA

Dat 11/10/2009 04:29 PM

e:

Sub Fw: Major comment sets (b)(5) Deliberative
ject:

minor note-- (b)(5) Deliberative

----- Forwarded by Jason Samenow/DC/USEPA/US on 11/10/2009 04:28 PM -----

EPA-EF-005850

EPA-2322

**Jason
Samenow/DC/USEPA/US**
11/28/2009 03:26 PM

To David Chalmers, Marcus Sarofim
cc Rona Birnbaum
bcc
Subject Fw: YIPPEE!!!!

The last part of Dina's comments... Nice work :)

----- Forwarded by Jason Samenow/DC/USEPA/US on 11/28/2009 03:25 PM -----

From: Dina Kruger/DC/USEPA/US
To: Rona Birnbaum/DC/USEPA/US@EPA, Jason Samenow/DC/USEPA/US@EPA
Date: 11/28/2009 02:47 PM
Subject: YIPPEE!!!!

Here's the completed Volume 4, with the file now labeled "Part 3" and containing everything. The last few sections were pretty smooth. (And there are some really kick-ass responses in this one)

(b)(5) Deliberative


RTC draft Volume 4 + DINA (part 3).doc

Dina Kruger
Director, Climate Change Division
USEPA

202-343-9039 (phone)
202-343-2290 (fax)

EPA-EF-005851

(b)(5) Deliberative

Thanks,

Lesley

>----->
| From: |
>----->

>----->
| "Matthew Mitchell" <Matthew.Mitchell@erg.com> |
|

>----->
| To: |
>----->

>----->
| William Perkins/DC/USEPA/US@EPA, "Sue Eisenfeld" <Sue.Eisenfeld@erg.com> |
|

>----->
| Cc: |
>----->

>----->
| Lesley Jantarasami/DC/USEPA/US@EPA |
|

>----->
| Date: |
>----->

>----->
| 12/06/2009 04:14 PM |
|

>----->
| Subject: |
>----->

>----->
| Re: Fw: reference issue |
|

To: William Perkins/DC/USEPA/US@EPA

Date: 12/06/2009 03:13 PM

Subject: Fw: reference issue

What do you think about getting ERG's take on this issue? Or at least having them send us a properly formatted citation with just one author

(b)(5) Deliberative
[Redacted]

(b)(5) Deliberative
[Redacted]

Having said that, I think that the best thing to do would be to reference the

(b)(5) Deliberative
[Redacted]

Specifically, the (b)(5) Deliberative

[Redacted]

Marcus and I noticed that the Vol. 4 reference list includes the following:

(b)(5) Deliberative
[Redacted]

[Redacted]