

From: [Stephen Fotis](#)
To: [Goffman, Joseph](#); [Carbonell, Tomas](#)
Cc: [Rakosnik, Delaney](#)
Subject: Orsted Meeting on OCS Air Issues
Date: Wednesday, September 15, 2021 3:48:22 PM
Attachments: [image001.png](#)
[SIP Crediting Mechanism for Generating Offset Credits from Offshore Shore Wind.DOCX](#)

Joe and Tomas --- We look forward to meeting with you on OCS air issues for offshore wind projects, which is scheduled for 10:30 AM tomorrow (Thursday, September 16). In addition to myself, Bryan Stockton from Orsted and Britt Fleming of VNF will be participating on behalf of Orsted. I am providing below for your reference our suggested agenda for tomorrow's meeting. Although it is an ambitious agenda, we hope to be able to cover each of the topic areas within our allotted time. Also, I am attaching for your review a draft white paper that Orsted has prepared on the emission offset issue that we plan to discuss during tomorrow's meeting. The attached white paper lays out our initial thoughts on new approaches that EPA could consider for demonstrating how the reasonable further progress requirements can be satisfied while also providing increased flexibility for offshore wind projects. Notably, this approach is based on specific regulatory programs that the South Coast Air Quality Management District has developed and EPA has approved for the South Coast Air Basin. We look forward to talking tomorrow.

Best regards,
Stephen

OCS Air Permitting Challenges for Offshore Wind Projects
September 16, 2021
Agenda

- Introductions
- Orsted objectives
 - Provide common sense-solutions grounded in regulation and precedent
 - Follow-up to ACP meeting and other industry outreach
- Need for national guidance that updates regulatory interpretations for offshore wind projects
- Emissions offset requirements applicable to offshore wind projects
 - EPA initial approach for distinguishing between emissions increases from construction activities and operation activities
 - Treatment for South Fork – timing and EPA approach for South Fork OCS permit
 - Alternate mechanisms for demonstrating “reasonable further progress” and satisfying the offset requirements
- Aggregation
 - Wind turbines and other permanent installations
 - Vessels servicing an OCS source
- OCS source definition
 - Treatment of temporary emission sources during construction and operation
 - Treatment of fugitive emissions in classifying offshore wind turbine as an OCS source
 - Fishery monitoring vessels and other vessels not related to the construction and operation of

offshore wind projects

- Next steps

Stephen C. Fotis | Partner



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SIP CREDITING MECHANISM FOR GENERATING EMISSION REDUCTION CREDITS THROUGH OFFSHORE WIND PROJECTS

Outline of Key Elements

The objective of this white paper is to outline the key elements of an emission reduction crediting mechanism that state air regulatory authorities could use to generate emission reduction credits (ERCs) for the overall net emission reductions achieved by the deployment of new offshore wind (OSW) electric generation facilities under their state implementation plans (SIPs). The paper begins with a brief discussion on the need for the Environmental Protection Agency (EPA) to establish such a SIP crediting mechanism and then presents the key design elements of a crediting mechanism that is modeled after approaches that EPA has developed for promoting energy efficiency and renewable energy measures under the Clean Air Act (CAA).¹

NEED FOR SIP CREDITING MECHANISM

Many urban areas along the eastern seaboard are designated nonattainment for the 2015 ozone standard. Those areas designated ozone nonattainment (totaling 66 counties and cities) are located in the states of Connecticut, Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, and Virginia.² To address this ozone nonattainment problem, these states are charged with the responsibility of adopting and implementing SIP emission control measures for achieving substantial NO_x emission reductions within the airshed.

Emission Offset Requirements. One such CAA obligation is for new major and modified stationary sources to obtain offsetting NO_x emissions reductions at ratios greater than 1 to 1 in order to assure that the states met their “reasonable further progress” (RFP) goals under the CAA. The stringency of the emission offset requirement will depend on the severity the ozone nonattainment designation. The

¹ This white paper presents how state and local air regulatory authorities could use the proposed SIP crediting mechanism to generate net NO_x ERCs that could be used as emission offsets in ozone nonattainment areas. However, this same SIP mechanism could be used for generating ERCs and the emission offsets for fine particulate matter (PM_{2.5}) or other criteria air pollutants.

² A list is available at the EPA website at <https://www3.epa.gov/airquality/greenbook/jncc.html#CT>.

offset ratio begins at 1.1 to 1 for marginal ozone nonattainment areas and increases up to 1.5 to 1 for extreme ozone nonattainment areas.

In addition, this NO_x emission offset requirement applies to all other surrounding areas that are located in the Ozone Transport Region (OTR), a 13-state region along the Northeast and Mid-Atlantic corridor. Areas within the OTR are required to obtain NO_x emission offsets at a ratio of 1.15 to 1 even though those areas themselves are not violating the ozone standard and thus not designated as an ozone nonattainment area.³ Areas subject to the general OTC requirement for securing NO_x emission offsets includes those areas designated attainment or unclassifiable in OTR, including the offshore areas adjacent to any one of 13 OTR states.

State Implementation of RFP Goals. Most states meet their RFP goals under the CAA by imposing a source-specific emission offset requirement under the NSR permitting program. Under this approach, the state regulatory authority will not issue a NSR permit for the construction of a major new source or major modification of an existing source until the owner or operator of that source secures sufficient emission offsets at the applicable offset ratio within the same airshed. However, the CAA does not impose a specific NSR emission offset requirement on each new or modified major source but instead allows states to develop other programmatic regulatory approaches that achieve compliance with their RFP goals for offsetting emission increases from new or modified major sources on an aggregate basis. As discussed below, these other programmatic approaches include the creation of emission offset banks that effectively relieve eligible new and modified major sources from a source-specific emission offset requirement typically imposed under the NSR permit program. Eligible sources for offsets can include sources performing essential public services or other types of sources for which either an exemption from the offset requirements or special allocation of emission offsets is appropriate from a public policy perspective.

NET NO_x REDUCTIONS ACHIEVED BY OSW FACILITIES

An effective SIP control strategy for reducing NO_x emission levels in the OTR involves shifting the generation of electricity from onshore fossil-fueled electric generating units (EGUs) to OSW generation facilities within the same airshed. Specifically, the electricity generated by new OSW facilities may result in small short-term increases in NO_x emissions during the construction of these renewable energy resources and, perhaps, very small ongoing emission increases in NO_x and other air pollutants during the operational phase for some OSW facilities. In such cases, the operational emissions would be limited to and comprise a small portion of the existing marine vessel

³ Section 184(b)(2) of the CAA.

emissions in the offshore area of the OSW facility. Table 1 below provides for illustration purposes the estimated potential emissions of a typical offshore wind energy facility consisting of approximately 1,000 wind turbine generators that would provide 1,100 megawatts of OSW generating capacity.

Table 1

ESTIMATED POTENTIAL EMISSIONS FROM HYPOTHETICAL OSW FACILITY

Activity	CO _{2e}	CO	NO _x	PM ₁₀	PM _{2.5}	SO ₂	Lead	VOC
	<i>tons/year</i>							
Construction	129,136	440.8	2,023	66.9	64.3	13.2	0.01	44.1
Annual Operations	1,315	5.4	23.7	1.0	1.0	0.5	0.0001	0.8
	<i>tons/lifetime</i>							
Total Operations	46,036	188.8	830.5	34.7	34.2	15.7	0.002	28.6
Total Construction and Operations	175,172	629.6	2,853.5	101.6	98.5	28.9	0.012	72.7

The emission increases of NO_x and other air pollutants noted above in Table 1 for the construction and operation of hypothetical new OSW facility would be more than offset by substantial emission reductions achieved by the curtailment of the production output the existing onshore fossil-fueled EGUs.⁴ This shifting of electric generation from fossil-fueled EGUs to clean offshore renewable energy resources will result in substantial overall net emission reductions for the OTC air shed. Table 2 below presents an estimate of the avoided emissions and net emission reductions that a hypothetical OSW facility could achieve by displacing conventional fossil-fueled power generation.⁵

⁴ For purposes of this white paper, the curtailment of production output includes those situations in which an onshore fossil-fueled EGU permanently shuts down or reduces utilization and output levels due to delivery of electricity generated by the OSW facility into the electric grid.

⁵ Avoided emissions were estimated using the Bureau of Ocean Energy Management’s “Wind Tool” program, which estimates emissions using the nominal capacity of an offshore wind facility and grid emission factors from the region where it will be displacing conventionally produced power.

Table 2

ESTIMATED AVOIDED EMISSIONS AND NET EMISSION REDUCTIONS

	CO ₂ e	CO	NO _x	PM ₁₀	PM _{2.5}	SO ₂	Lead	VOC
	<i>tons/year</i>							
Annual Emissions	3,005,721	648.9	2,363	151.6	114.2	5,706	0.1	71.6
Lifetime avoided emissions over 35 years	105,200,221	22,711	82,695	5,307	3,997	199,704	3.5	2,506
Net Emissions Reductions	105,025,049	22,081.4	79,841.5	5,205.4	3,898.5	199,675.1	3.488	2,433.3

As reflected in the two tables above, the development of a typical OSW facility would achieve very substantial emission reductions for CO₂, NO_x, PM, and other regulated air pollutants in the OTR. In the case of NO_x, the net emission reductions would be almost 80,000 tons over the projected 35-year life of the OSW facility. Furthermore, the OSW facility’s NO_x emission reductions during the first year of operation would fully offset the estimated potential annual NO_x emissions during the construction phase of the OWS project when NO_x emissions would be at their highest levels. In particular, NO_x emissions reductions of 2,363 tons would offset those NO_x emission increases during the construction phase of the OSW project – thereby achieving the RFP goals under the CAA. During the operational phase of OSW project when NO_x emissions are much less, the generation of renewable electricity would go far beyond what is required for meeting its RFP goals by achieving annual net NO_x emission reductions at a ratio of almost 100 to 1.

Finally, the actual net air quality benefits from the new offshore wind farm would be most likely much greater than those achieved by an onshore new stationary source that must secure emissions offsets under the NSR permit program. Since the OSW facility would be located offshore many miles from the mainland, the emissions from the OSW facility are likely to have at most only minimal air quality impacts on onshore areas. This means that the offsetting emission reductions resulting from the curtailment or shutdown of onshore EGU sources will not just be mitigating the potential air quality impacts from the new OSW facility, but also enhancing considerably the air quality in the onshore OTC areas where the ozone nonattainment problems are the greatest.

ACCOUNTING FOR NET NOX REDUCTIONS

One key implementation issue relates to how the states can account for and provide appropriate ERCs for the net NO_x emission reductions achieved by the deployment of OSW facilities and the resulting curtailment of onshore fossil-fueled EGUs. These OSW

facilities are located in the OTR and therefore must secure emission offsets for all NO_x emissions occurring during the construction and operation of the OSW facilities even though the offshore wind generating areas are not located in areas designated as ozone nonattainment areas and the deployment of the OSW generation will result in a net reduction in NO_x emissions in the OTC airshed as noted above.

At present, there does not exist an EPA-recognized SIP crediting mechanism for the accounting of these net NO_x emission reductions that states could use for meeting their RFP emission reduction obligations in ozone nonattainment areas under the CAA. As a result, developers of OSW facilities must secure emissions offsets for the relatively small amounts of NO_x emissions resulting during the construction phase of the OSW project as well as any NO_x emissions occurring during the operation of the OSW generation facilities. The current SIP regulatory framework therefore creates a significant and unnecessary air regulatory hurdle to the rapid deployment of OSW facilities even though they will achieve an overall net NO_x reduction in the ozone nonattainment areas.

The need for such a SIP crediting mechanism is particularly important given that the curtailment of onshore fossil-fueled EGUs may not be federally enforceable under the CAA. The establishment of EPA-recognized SIP crediting mechanism will therefore remove a significant hurdle imposed on OSW developers to obtain emission offsets for the small amount of NO_x emissions increases attributable to the construction and operation of the OSW facility.

KEY DESIGN ELEMENTS OF SIP CREDITING MECHANISM FOR OSW PROJECTS

The purpose of this section is to identify the key design elements of a SIP crediting mechanism that state regulatory authorities could use to account for and generate ERCs for offsetting the relatively small emissions increases attributable to the development of OSW projects. These credits could be issued for emission reductions achieved by the deployment of OSW generation facilities that curtail the electricity output of onshore fossil-fueled EGUs within the OTR. This proposed SIP crediting mechanism is based on similar approaches that EPA has developed for incorporating energy efficiency and renewable energy strategies into SIP attainment strategies under section 110 of the CAA.⁶

⁶ See Guidance by EPA Office of Air Quality Planning and Standards, entitled: *Roadmap for Incorporating Energy Efficiency/Renewable Energy Policies and Programs into State and Tribal Implementation Plans* (July 2012) (hereinafter referred to as “EPA Roadmap”).

As a general matter, EPA has interpreted the CAA to require that four criteria must be satisfied in order for an emission control measure to generate creditable emission reductions that can be used for meeting RFP goals in a SIP attainment strategy. These criteria are that the emission reductions must be quantifiable, permanent, surplus, and enforceable. The discussion below presents the design elements of a proposed SIP crediting mechanism that could satisfy each of these criteria in the case of OSW generation projects.

Quantifiable. The state regulatory authority must be able to quantify with reasonable accuracy the overall net emission reductions that would result from the deployment of new OSW generation facility. This analysis would require the quantification of the net NO_x emission reductions that are projected to occur as a result of the shifting of electric generation from onshore fossil-fueled EGUs in the OTR to the OSW generation facilities in that area. This analysis would have to account for all NO_x emissions increases resulting during the construction and operational phases of the OSW facility as well as the projected future actual NO_x emission reductions that would result from the corresponding curtailment of the onshore fossil-fueled generation.

The first step of the analysis would be to quantify the amount of electricity that would be generated by the new OSW facility. A second important step would be to quantify the NO_x emission reductions that would result from the use of that OSW electricity in lieu of the onshore fossil-fueled generation located in the OTR. EPA should develop guidance on how to perform each step of this analysis in order to ensure consistency among states on how to quantify the overall net NO_x emission reductions that result from the generation of new OSW electricity generation. A starting point for the development of this approach could be the methodology that the Bureau of Ocean Energy Management has developed to estimate avoided emissions from offshore wind facilities by its “Wind Tool” program.

Permanent. The state regulatory authority must show that the NO_x emission reductions from the deployment of the OSW facility will not be temporary but will continue through the future attainment date set for the ozone nonattainment area. To meet this criterion, the regulatory authority could require a long-term power purchase agreement or other similar power sales obligation to assure that the OSW facility will generate and deliver clean, non-emitting electricity into the electric grid for the OTR. To satisfy the criterion for permanency, this power sales commitment must be legally binding in some fashion and cover a sufficient length of time to demonstrate that the OSW generation facility will displace existing onshore fossil-fueled generation and thereby achieve emissions reductions over an extended time period.

Surplus. The curtailment of the onshore fossil-fueled generation as a result of the OSW generation facility must not be otherwise required under the CAA.⁷ To meet this criterion, the state regulatory authority would need to demonstrate in its SIP submission that the curtailment of the onshore fossil-fueled generation is additional to the control measures included in the baseline emissions projections for the SIP attainment strategy so that there will be no double counting of emission reductions. One element of this demonstration should include a certification that the regulatory authority has reviewed the emissions reductions resulting from the deployment of the new OSW facility and confirms that this control measure is not being used to claim ERCs in any of the control strategies included in the SIP attainment strategy, as well as a description of specific steps that the regulatory authority is taking to ensure that there is no double counting of emission reductions.

Enforceable. There could be two pathways for demonstrating compliance with this criterion. The first, and most straightforward, pathway would be the adoption of mandatory control measures that would directly or indirectly require the curtailment (or even shutdown) of the onshore fossil-fueled EGU in the OTR. Such mandatory measures would be federally enforceable against specific entities that must be able to verify compliance with the specific control requirements and be subject to enforcement for the failure to comply with those requirements, including civil penalties and corrective action.

The second pathway would be the adoption of non-mandatory framework for assuring the achievement of the emissions reductions through the curtailment of onshore fossil-fueled generation.⁸ Under this alternative approach, the state regulatory authority would have the option of meeting the criterion for enforceability through the adoption of an enforceable commitment requiring the regulatory authority to monitor and evaluate the effectiveness of the non-mandatory framework for shifting from fossil-fueled to renewable electricity generation and, if this framework does not achieve the projected emission reductions, to remedy any SIP reduction shortfall. This remedy may involve the implementation of contingency control measures to achieve the necessary emission reductions or a demonstration that the emission reductions are not needed to achieve the RFP reduction requirements for attaining the ozone standard.

Such an approach is modeled after the federal guidance that EPA has developed for incorporating energy efficiency and renewable energy strategies into SIP attainment

⁷ Section 173 (c)(2) of the CAA (providing that “Emission reductions otherwise required by this chapter shall not be creditable as emissions reductions for purposes of any such offset requirement”).

⁸ Reference to “curtailment” includes either reduced utilization or permanent shutdown of existing fossil-fueled EGU(s).

strategies under CAA section 110.⁹ Importantly, the EPA guidance describes four possible implementation pathways for incorporating energy efficiency and renewable energy policies and programs into SIP control strategies. One such pathway involves the adoption of non-mandatory policies and programs to encourage the use of energy efficiency and renewable energy.¹⁰ To meet the enforceability criterion, the state regulatory authority must make an enforceable commitment to:

- Implement those parts of the policies or measures for which the agency is responsible;
- Monitor, evaluate, and report at least every three years on progress toward emission reductions; and
- Remedy any SIP credit shortfall through a federally enforceable backstop mechanism if the electrification policies or measures do not meet the projected emission reductions.¹¹

Under this approach, the state plan would specify the federally enforceable backstop emission control measures that would apply to sources of NO_x emissions within the OTR if the state does not achieve the anticipated level of new emission reductions. These federally enforceable backstop control measures must be designed such that the implementation of those measures would achieve the NO_x emission reduction levels necessary for meeting the RFP goals applicable to the particular state under the CAA. These backstop regulatory control measures must be quantifiable, verifiable, enforceable, non-duplicative, and permanent. In addition, the state plan would specify the conditions under which the federally enforceable backstop control measures would be triggered and begin to apply.

This approach for meeting the enforceability criterion is consistent with the “state measure” approach that EPA had adopted for a state to meet its applicable CO₂ emission rate target under the Clean Power Plan. In this case, EPA had adopted an implementation framework that allowed a state to achieve a portion of its CO₂ emission reduction obligation through enforceable requirements to increase renewable energy, energy efficiency, and perhaps other control methods that do not apply directly to EGUs. In so doing, EPA states that the state plan would include an enforceable

⁹ See *EPA Roadmap*. Notably, this guidance draws from previously issued EPA guidance documents that seek to encourage states to incorporate energy efficiency and renewable energy measures into their SIP control strategies.

¹⁰ See *EPA Roadmap* at pages 9 and 30-32.

¹¹ See *EPA Roadmap* at page 37.

commitment by the state itself to implement state-enforceable (but not federally enforceable) measures that would achieve specified portion of the required emission performance level on behalf of affected EGUs. The key difference between the traditional federal-state regulatory approach and EPA's state measure approach is that instead of private entities, such as affected EGUs, being responsible for obtaining specific emission reductions, the state adopts a plan that makes itself responsible for ensuring the implementation of the particular measures in order to meet its federal emission reduction obligations.

POSSIBLE REGULATORY FRAMEWORKS FOR DEMONSTRATING COMPLIANCE WITH THE FEDERAL NSR OFFSET REQUIREMENTS

As noted above, the CAA does not specifically require that each new or modified major stationary source itself secure ERCs to offset its increased emissions. Rather, each state has an obligation to achieve sufficient emission reductions at the applicable emission offset ratio in order to assure that new or modified sources do not interfere with a state's progress towards attainment of relevant national ambient air quality standard(s). As a result, states have the option of developing "programmatic" regulatory approaches that achieve compliance with their RFP goals for offsetting emission increases on an aggregate basis, instead on a source-specific basis.

One example of such a programmatic approach is the creation of a priority reserve that provides emission offsets for essential public services, sources using innovative technologies, experimental research operations, and certain types of EGUs. These sources would be authorized to receive ERCs from the priority reserve to offset their emissions under the NSR permitting program if they satisfy the applicable eligibility requirements for the priority reserve. Another example is an exemption from the NSR offset requirements for certain specified categories of stationary sources, such as projects involving the replacement of existing EGU steam boilers with high efficiency combined cycle gas turbines, installation of emergency equipment, or relocation of portable equipment.¹²

In such cases as those noted above, the regulatory authority assures that the RFP goals are being achieved by assuming the responsibility of providing the necessary emission offsets to fund the priority reserve or provide a source-specific exemption from the NSR offset requirements. A wide range of regulatory options are available for states to

¹² For example, the South Coast Air Quality Management District (SCAQMD) has adopted numerous rules over the years for the establishment of offset reserves and ERC banks for meeting the emissions offset requirements under the SCAQMD air permitting program. *See, e.g.*, SCAQMD Rule 1309.1 (entitled "Priority Reserve")

demonstrate the programmatic equivalence on an aggregate basis with the applicable federal offset requirement for the sources that are exempted from a source-specific NSR offset requirement. One notable example is the establishment of a federal NSR tracking system that tracks relevant increases and decreases in emissions in order to demonstrate sufficient emission reductions are being achieved to assure the RFP goals are being achieved for the nonattainment area on an aggregate basis. Although the details of such an approach are outside the scope of this white paper, it would be possible to create a similar tracking system to confirm that sufficient emission reductions are being generated through the deployment of new OSW facilities to demonstrate full compliance with the federal NSR offset requirements.¹³

¹³ See, e.g., SCAQMD Rule 1315 (entitled “Federal New Source Review Tracking System”); SCAQMD Rule 2020 (entitled “RECLAIM Reserve”).



External Meeting Request Form for Joe Goffman

Today's Date: April 20, 2021

Requesting Organization: Shell Oil Company (thru Van Ness Feldman)

Title of the Meeting: Clean Air Act regulation of methane emissions from oil and gas sector

Purpose: To discuss options, approaches, and strategies for developing new regulations for limiting methane emissions from existing oil and gas sources and revising the existing methane regulations for new and modified oil and gas sources.

Background: The regulation of methane is an area where Shell has been a leader and looks forward to working constructively and proactively with EPA.

Earliest possible date for the meeting: The meeting has been schedule for Wednesday, April 28 at 4 PM.

Last possible date for the meeting:

Is the meeting urgent and if so, why?

Requested Time Length: 30 minutes

Invitees: Joe Goffman, Tomas Carbonell and other appropriate EPA staff

External Participants: Stephen Fotis of Van Ness Feldman and various Shell participants, including Marnie Funk, Dick Francis, Lisa Tiesman, William Kovach, Steve Craig, and Nicole St. Amand

Teleconference Required? Yes

Video Conference Required? Yes

Point of Contact for the Meeting: Stephen Fotis of Van Ness Feldman: 202 413-2321 and scf@vnf.com

From: [Goffman, Joseph](#)
To: [Stephen Fotis](#); [Carbonell, Tomas](#); [Tsirigotis, Peter](#); [Koerber, Mike](#); [Culligan, Kevin](#); [Grundler, Christopher](#); [Kim, Eunjung](#)
Cc: [Marnie.Funk@shell.com](#); [Gunning, Paul](#); [Steve.Craig@shell.com](#); [William.Kovach@shell.com](#); [dick.francis@shell.com](#); [Lisa.Tiesman@shell.com](#); [Cozzie, David](#)
Subject: Meeting with Shell re: Methane & GHG
Start: Wednesday, April 28, 2021 4:00:00 PM
End: Wednesday, April 28, 2021 4:30:00 PM
Location: Microsoft Teams Meeting
Attachments: [External meeting request \(002\) - Shell.DOCX](#)
[External meeting request \(002\) - Shell.DOCX](#)

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From: [Stephen Fotis](#)
To: [Rakosnik, Delaney](#)
Subject: RE: Shell Teleconference Request
Date: Tuesday, April 20, 2021 10:34:47 AM
Attachments: [image001.png](#)
[External meeting request \(002\) - Shell.DOCX](#)

Hi Delaney – Sorry for the delay in getting you a completed version of the external meeting request for Joe Goffman. As you know, our teleconference has already been scheduled for Wednesday, April 28 at 4 PM.

Thanks again for all of your assistance. Please let me know if you have questions.

Best,

Stephen

Stephen C. Fotis | Partner



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From: Rakosnik, Delaney <rakosnik.delaney@epa.gov>
Sent: Tuesday, April 13, 2021 12:39 PM
To: Stephen Fotis <scf@vnf.com>
Subject: RE: Shell Teleconference Request

Caution: External Email.

Please fill out the attached form. Many thanks!!

From: Stephen Fotis <scf@vnf.com>
Sent: Tuesday, April 13, 2021 11:10 AM
To: Rakosnik, Delaney <rakosnik.delaney@epa.gov>
Subject: RE: Shell Teleconference Request

Hi Delaney – Thanks for getting back to me. Any chance we could push back the start time of the call to 4 PM EDT on Wednesday, April 28? Unfortunately, 3 PM doesn't work for us.

Thanks,
Stephen

Stephen C. Fotis | Partner



1050 Thomas Jefferson Street, NW
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From: Rakosnik, Delaney <rakosnik.delaney@epa.gov>
Sent: Tuesday, April 13, 2021 9:55 AM
To: Stephen Fotis <scf@vnf.com>
Subject: RE: Shell Teleconference Request

Caution: External Email.

Hi Stephen,

Joe Goffman is happy to meet. How does April 28th at 3pm work for your schedules? I'm happy to explore other time options, if need be.

Many thanks!

Delaney Rakosnik
Staff Assistant
Immediate Office of the Assistant Administrator
Office of Air and Radiation, USEPA
Room 5406A, 1200 Pennsylvania Avenue NW
Washington, DC 20460
Voice: 202-564-0935
Email: rakosnik.delaney@epa.gov

Hi Joe and Tomas – On behalf of Shell, I would like to request a meeting by teleconference with you on methane and related GHG regulatory issues. In addition to myself, Marnie Funk from the Shell Washington Office and most likely several key Shell officials from Houston will be participating in the call. We can be available next week to talk if that can work with your schedules. I hope you're both doing well and look forward to working constructively together again on the methane and other GHG regulatory issues on behalf of Shell.

Best,
Stephen

Stephen C. Fotis | Partner



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External Meeting Request Form for OAR

Today's Date: **May 26, 2021**

Requesting Organization: **Shell Oil Company (thru Van Ness Feldman)**

Title of the Meeting: **Clean Air Act regulation of methane emissions from oil and gas sector**

Purpose: **To follow-up on initial discussions regarding possible options, approaches, and strategies for developing new regulations for limiting methane emissions from existing oil and gas sources.**

Background: **The regulation of methane is an area where Shell has been a leader and looks forward to working constructively and proactively with EPA.**

Is this meeting related to ongoing litigation: **No.**

Earliest possible date for the meeting: **Targeted time is June 3 at 3:30 PM**

Last possible date for the meeting: **Targeted time is June 3 at 3:30 PM**

Is the meeting urgent and if so, why:

Requested Time Length: **30 minutes**

Have you met with anyone within EPA:

Invitees: **Joe Goffman and Tomas Carbonell**

External Participants (to include email addresses): **Stephen Fotis of Van Ness Feldman and Marnie Funk of Shell**

Teleconference Required: **Yes**

Video Conference Required: **Yes**

Point of Contact for the Meeting: **Stephen Fotis of Van Ness Feldman: 202 413-2321 and scf@vnf.com**

Please email this form back to OAR_Invitations@epa.gov

June 3, 2021

Meeting with Shell

EPA Attendees:

Joe Goffman, Tomas Carbonell, Eunjung Kim

Chris Grundler, Paul Gunning, Kevin Culligan

External Attendees:

Marie Funk

Stephen Fotis

From: [Goffman, Joseph](#)
To: [Carbonell, Tomas](#); [Stephen Fotis](#); Marnie.Funk@shell.com; [Kim, Eunjung](#); [Tsirigotis, Peter](#); [Culligan, Kevin](#); [Grundler, Christopher](#); [Harvey, Reid](#)
Cc: [Gunning, Paul](#)
Subject: Meeting with Shell
Start: Thursday, June 03, 2021 3:30:00 PM
End: Thursday, June 03, 2021 4:00:00 PM
Location: Microsoft Teams Meeting
Attachments: [External meeting request - EPA \(May 26, 2021\).DOCX](#)

Microsoft Teams meeting

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[REDACTED] United States, Washington DC

Phone Conference ID: [REDACTED]

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