

Exhibit 9

From: McLendon, Wanda <McLendon.Wanda@epa.gov>
Sent: Wednesday, May 29, 2019 2:28 PM
To: Mychal Ozaeta
Cc: Henry Weaver; Thomas Cmar; Espinoza, Ana; Ward, Valerie
Subject: RE: EPA-HQ-2019-001329 Request

Good day Mr. Ozaeta:

I haven't received a response from you or your colleagues concerning the projected date of completion and it has been five days since our last correspondence. This will now push the date five days later to June 27.

Please let me hear from you very soon. Thanks.

Wanda Y. McLendon

Management Analyst
U.S. Environmental Protection Agency
Office of Land and Emergency Management
Organizational Management and Integrity Staff
William J. Clinton EPA West, Room 4139-C
(202) 566-1917
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From: McLendon, Wanda
Sent: Wednesday, May 22, 2019 3:55 PM
To: Mychal Ozaeta <mozaeta@earthjustice.org>
Cc: Henry Weaver <hweaver@earthjustice.org>; Thomas Cmar <tcmar@earthjustice.org>; Espinoza, Ana <Espinoza.Ana@epa.gov>; Ward, Valerie <ward.valerie@epa.gov>
Subject: RE: EPA-HQ-2019-001329 Request

Good day Mr. Ozaeta!

I was in the midst of preparing an email to you concerning Freedom of Information Request EPA-HQ-2019-001329 when I received your message.

The Office of Land and Emergency Management hasn't moved forward on your request because Ms. Ana Espinoza failed to complete the process within FOIA online when she reassigned it to our office. However, this is to inform you of the expected date of completion – June 20, 2019. Because the time limit is more than ten additional days, you have the right to seek dispute resolution services from the Office of Government Information Services. If our program office has any questions or concerns, I will inform them to contact Mr. Henry Weaver and/or Mr. Thom Cmar in your absence.

We apologize for any inconvenience this may have caused you and thank you for your patience as we move forward to the processing of your request.

Please let me know if you agree with the projected date of completion.

Wanda Y. McLendon

Management Analyst
U.S. Environmental Protection Agency
Office of Land and Emergency Management
Organizational Management and Integrity Staff
William J. Clinton EPA West, Room 4139-C
(202) 566-1917
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From: Mychal Ozaeta <mozaeta@earthjustice.org>
Sent: Wednesday, May 22, 2019 3:34 PM
To: McLendon, Wanda <McLendon.Wanda@epa.gov>
Cc: Henry Weaver <hweaver@earthjustice.org>; Thomas Cmar <tcmar@earthjustice.org>
Subject: RE: EPA-HQ-2019-001329 Request

Hi Wanda,

I wanted to reach out and see if there was any update on the status of this FOIA request and whether OLEM had any questions related to the request for us. Additionally, I wanted to notify you that I will be going on leave next week for a few months so my colleagues Henry Weaver and Thom Cmar will be taking over this FOIA request while I am away. Could you please send all information and future communications to both of them? I have CCed them both on this email.

Thank you,

Mychal Ozaeta
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From: Espinoza, Ana <Espinoza.Ana@epa.gov>
Sent: Wednesday, May 8, 2019 2:38 PM
To: Mychal Ozaeta <mozaeta@earthjustice.org>
Subject: EPA-HQ-2019-001329 Request

Good afternoon Mr. Ozaeta,

I will transfer your request to EPA's Office of Land Emergency Management (OLEM), as they will have the records you are requesting. Our staff was unable to locate records in the Administrator's office, therefore causing a significant delay in the search phase of this request.

OLEM will continue the process of your FOIA. Please be mindful, that because our Office is transferring a backlogged FOIA they will have 20 days to provide a final response to you. The Administrator's office can provide publicly available links directing you as a reference to your request description:

- <https://www.federalregister.gov/documents/2018/07/30/2018-16262/hazardous-and-solid-waste-management-system-disposal-of-coal-combustion-residuals-from-electric>
- <https://www.epa.gov/coalash/coal-ash-rule>
- <https://www.epa.gov/coalash/list-frequent-questions-about-implementing-final-rule-regulating-disposal-coal-combustion>

thank you for your patience, please contact Wanda McLendon at McLendon.Wanda@epa.gov or at 202-566-1917 for further questions regarding updates on the process of your FOIA.

Ana Espinoza
1200 Pennsylvania Ave., NW (1105A)
Washington, DC 20460
202-564-0619

