

Message

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**From:** Rich Dailey [Rich.Dailey@walmart.com]  
**Sent:** 9/25/2017 12:46:56 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]  
**Subject:** RE: Meeting with Administrator

Hayley

I have a couple meetings this morning and then will get with other folks attending to pick best date. I will let you know something for sure later today.

Rich

**Rich Dailey, Sr. Director**  
**Environmental, Health and Safety Compliance**  
Phone 479-204-9914 Fax 479-204-9675  
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**From:** Ford, Hayley [mailto:[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)]  
**Sent:** Sunday, September 24, 2017 7:15 PM  
**To:** Rich Dailey  
**Subject:** EXT: RE: Meeting with Administrator

Hello Rich,

Thank you for the additional detail. I'd be happy to set this meeting up for you. The afternoon of the 17<sup>th</sup> or 18<sup>th</sup> work best for the Administrator. What is your preferred date/time? Additionally, can you send a list of attendees for the meeting? I will send arrival details as the event approaches.

Thank you!

*Hayley Ford*

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: [Ex. 6]

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**From:** Rich Dailey [mailto:[Rich.Dailey@walmart.com](mailto:Rich.Dailey@walmart.com)]  
**Sent:** Wednesday, September 20, 2017 4:04 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** RE: Meeting with Administrator

Hayley

Below is a short summary of the issue, background, and attendees. I've attached talking points that I gave to Ken when we met at the spring ECOS meeting.

Issue

- The application of the Resource Conservation and Recovery Act (RCRA) to the retail industry results in the development of complex identification, tracking, management, training, and reporting systems to manage returned or damaged consumer products as hazardous waste.
- These systems and actions taken by retailers of significant size and scale come at an enormous cost for what we believe is at the very most incremental protection of human health and the environment. Smaller retailers and consumers typically throw these items in the trash.

Background

- RCRA was passed in 1976 in response to situations like Love Canal and the Valley of the Drums – sites where thousands of barrels of industrial waste products were dumped with minimal, if any, measures to prevent environmental contamination. EPA developed RCRA's implementing regulations after assessing industrial assets, processes, constituents, and products as a way to manage chemical hazards "from cradle to grave".
- Neither RCRA nor it's implementing regulations were intended to apply to retail. I was part of an EPA HQ team that helped develop the regulations and we were guided by the plain language of RCRA as well as it's legislative history – neither address retail.
- Around the mid-2000's regulators began to apply RCRA to damaged or returned items at large retail stores, mandating that these items had to follow the same rules that apply to industrial wastes. To date, major retailers have been assessed hundreds of thousands of dollars in fines and penalties, and many have entered into multiple Federal and State consent decrees.

Attendees

- Rick Leahy, Walmart VP EHS Compliance
- Angie Cooper, Walmart Senior Director, Global Public Policy (Angie has known Administrator Pruitt for over 10 years)
- Rich Dailey, Walmart Senior Director, EHS Compliance
- Nicole Wilkinson, CVS Director, EHS Compliance
- CVS Public Affairs TBD

Hope this helps – please let me know if you have any questions.

Rich

**Rich Dailey, Sr. Director**

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**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]

**Sent:** Wednesday, September 20, 2017 9:28 AM

**To:** Rich Dailey

**Cc:** Wagner, Kenneth

**Subject:** EXT: RE: Meeting with Administrator

Hello Rich,

Ken forwarded me your below message. I wanted to introduce myself as the Administrator's scheduler. I'd be happy to bring this request to our scheduling team and see how it works with our calendar. We will be meeting in the next few days and then I will circle back with you. Hopefully by early next week.

Ken looped me in on your initial conversations, but any additional information you can provide would also be helpful (attendees, issue background, etc.). We'll be in touch soon.

Thanks!

*Hayley Ford*

Deputy White House Liaison

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Phone: 202-564-2022

Cell:  Ex. 6

Begin forwarded message:

**From:** Rich Dailey <[Rich.Dailey@walmart.com](mailto:Rich.Dailey@walmart.com)>

**Date:** September 20, 2017 at 9:29:38 AM EDT

**To:** "Kenneth Wagner ([wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov))" <[wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov)>

**Subject:** Meeting with Administrator

Ken

Hope this finds you well. Every year around this time we get the word to cancel all travel that isn't essential – that direction came Monday. We think that meeting with Administrator Pruitt to discuss our RCRA-applied-to-retail concerns would be essential, so hopefully that is still a possibility. If so, is it possible we could schedule it for the week of 10/16, preferably sometime between the 17<sup>th</sup> and 19<sup>th</sup>? October 18<sup>th</sup> is the Environmental Law Institute dinner – every year we sponsor a table and invite EPA staff, NGOs, etc. to attend. If we can get a meeting with the Administrator around that time, I'd like to invite you and perhaps someone else from the senior staff. We may have staff from NatureVest, the capital investment arm of The Nature Conservancy there as well as we will try to meet with them on a joint project we hope to initiate. Please let me know if you have any questions.

Rich

Rich Dailey, Sr. Director

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