

To: Ron Ness[ronness@ndoil.org]
Cc: Ryan Bernstein (ryan_bernstein@hoeven.senate.gov)[ryan_bernstein@hoeven.senate.gov];
Dickerson, Aaron[dickerson.aaron@epa.gov]
From: Hupp, Sydney
Sent: Thur 5/4/2017 2:14:05 PM
Subject: RE: NDPC Letter to EPA Administrator Scott Pruitt

Hi Ron, that made me laugh. Phone says it's working on my end, not sure what the deal is! Let me do some checking on this and get back to you. We are having a scheduling meeting tomorrow morning and I will bring it up with the team.

Thank you!

Sydney Hupp

Executive Scheduler

Office of the Administrator

202.816.1659 (c)

From: Ron Ness [mailto:ronness@ndoil.org]
Sent: Thursday, May 4, 2017 10:08 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Ryan Bernstein (ryan_bernstein@hoeven.senate.gov) <ryan_bernstein@hoeven.senate.gov>
Subject: RE: NDPC Letter to EPA Administrator Scott Pruitt

Hi Sydney, I tried to call you at the number below and it said it was not in service. I guess those budget cuts are extreme!!

I have visited with Ryan Bernstein from Senator Hoeven's office (copied) and we were wondering about a meeting in North Dakota per the media discussion here today on the ND Senators inviting the Secretary to ND. I have also through Blu Hulsey at Continental Resources extended an invitation for the Secretary to speak at our Annual Meeting in Grand Forks, North

Dakota on Sept 27 or 28th but that's likely too far out for these discussions.

We are more than happy to visit in DC as well.

Thanks, I look forward to more discussion on a meeting date. My number if you chose to call is 701-223-6380.

From: Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]
Sent: Wednesday, May 03, 2017 12:57 PM
To: NDPC <ndpc@ndoil.org>
Cc: Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: NDPC Letter to EPA Administrator Scott Pruitt

Hi there,

Hope this email finds you well! Apologies for the delay, I would be happy to move forward on getting this meeting set up! What time frame were you looking at for getting this on the calendar? Additionally, would you mind filling out the attached form?

Thank you!

Sydney Hupp

Office of the Administrator- Scheduling

202.816.1659

From: NDPC [<mailto:ndpc@ndoil.org>]

Sent: Friday, March 31, 2017 5:20 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Subject: NDPC Letter to EPA Administrator Scott Pruitt
Importance: High



150 West Broadway, Ste. 308 | P.O. Box 1384 | Bismarck, ND 58101-1384
701.223.3850 | ndpetroleum.org | www.ndoil.org

March 31, 2017

Environmental Protection Agency
Mr. Scott Pruitt, Administrator
Mail Code 28221T
1200 Pennsylvania Ave. NW
Washington, DC 20460

Dear Mr. Pruitt:

Congratulations on your appointment as Administrator of the Environmental Protection Agency. I am the President of the North Dakota Petroleum Council (NDPC) and wanted to take this opportunity to tell you about the overreach of the prior administration that continues to affect NDPC members. Under the previous administration, EPA initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions under the CAA against oil companies operating in North Dakota. EPA's style and process were often contrary to the North Dakota Department of Health's (NDDoH) alternative approach to Clean Air Act Enforcement. In the one consent decree that EPA completed before the election, North Dakota refused to sign the final decree, even though NDDoH had participated fully in months of EPA driven negotiations with the operator. The North Dakota approach produced industry-wide results that immediately benefitted the environment in a shorter timeframe, with substantially less cost and included continued future compliance opportunities. Unfortunately, despite the successful North Dakota effort, we continue to see EPA focused on an aggressive, federal-only approach adopted under the earlier administration.

We respectfully request, consistent with your recent internal directive and President Trump's March 28, 2017 Executive Order, *Promoting Energy Independence and Economic Growth*, that you promptly review EPA's ongoing enforcement activities in North Dakota to determine whether they are consistent with your and the Trump Administration's approach to environmental protection and regulation.¹ We also ask that you seriously consider EPA's adoption of the NDDoH approach to Clean Air Act enforcement and take steps to amend, with court approval, the existing federal consent decree to add North Dakota (ND) so that the state continues to play an important role in protecting its environment. The attached documents describe the EPA Section 114 enforcement process, and contrasts it with the approach that North Dakota utilized. The information provided will show that ND achieved industry-wide compliance plus (above current regulations) in one-third of the time required by EPA to negotiate a settlement with one ND operator. NDPC believes that you will find this information of interest as you seek to make EPA a more effective and efficient agency, which works with states to implement, enforce and adopt resolutions that directly benefit the environment.

Please call or email with any questions you may have. We welcome the opportunity to discuss this with you and would be available to travel to Washington, DC if you feel it would be beneficial.

Thank you for your time and consideration.

Sincerely,

Ron Ness
President

cc: President Donald Trump
ND Governor Doug Burgum
Senator John Hoeven
Senator Heidi Heitkamp
Senator Cory Gardner
Congressman Kevin Cramer

¹ We understand that, on March 2, 2017, EPA Headquarters Assistant Administrators (AAs) and Regional Administrators (RAs) were notified that the Administrator was retaining approval authority for actions having significant regulatory and enforcement effect. The AAs and RAs were directed to "identify and send upward any proposed decisions or final agency actions for the Administrator's review" those items that "would limit the flexibility of the States, limit energy resource use, impose significant costs on industry or commerce, or otherwise likely result in significant public attention on the proposed decisions or final agency actions." See *Pruitt Withdraws Decision-Making Powers From Senior Officials*, <https://insideepa.com/daily-news/pruitt-withdraws-decision-making-powers-senior-officials-email-shows>.

