

Message

From: Alexandra Dapolito Dunn [adunn@ecos.org]
Sent: 10/26/2017 8:41:42 AM
To: karen.crawford@nelsonmullins.com; reecemc@dhec.sc.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=514d8da796ca4e1a8c0cdf6979618732-reecemc@dhec.sc.gov]; Bob Martineau [Bob.Martineau@tn.gov]; Glenn, Trey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c1f10fec3149420597e6581c2586e25e-Glenn, Onis]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Kelley Clemons [Kelley.Clemons@tn.gov]; stephers@dhec.sc.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e70585bf0785432e92338a7e0c1d713a-stephers@dhec.sc.gov]; Margaret Campbell [margaret.campbell@troutmansanders.com]
Subject: Re: EPA Acting General Counsel seeking to join by conf call - today's ACOEL Region IV Special Program

Hi All -

Kevin Minoli - the Agency's Acting General Counsel - has offered and would be willing to dial in to this discussion to make a few points if we'd be able to accommodate.

If technology is possible to do this I am happy to try to work him in. He did a great job at ABA last week on the consent decree directive.

Please let me know your thoughts or we can discuss upon arrival. I'm on my way down this morning. I've let Kevin know we are assessing the feasibility.

Sent from my iPhone

On Oct 13, 2017, at 10:07 AM, Alexandra Dapolito Dunn <adunn@ecos.org> wrote:

Hello all! Sorry for the delay in getting these possible questions to you and a more detailed outline of how we'll proceed. I hope this is helpful!

This program will be in Charleston, SC on Oct. 26 from 3-430 PM. On our prep call, we agreed to take a dialogue approach and so I'm outlining that below as your moderator.

I've timed it out below and rounded up here and there - leaving time for Q&A, Let me know if this works!

300-307

As moderator, Alex will open the panel and welcome everyone to the session. I will briefly introduce each of the speakers and frame up that we are 10 months into the Administration. I will note that this session is designed to give everyone a good sense of activity by the President - particularly with regard to actions involving the EPA - and what may lie ahead as we close out 2017 and go into 2018. I will mention a few key developments - the executive orders on 2 for 1 rulemaking, the Department of Commerce's recent report on regulatory streamlining for manufacturing, the Superfund Task Force, the WOTUS two step process, the EO and subsequent action on the CPP, the retention of Henry Darwin as COO and the Lean Efforts; and the general status of appointments to RAs and AAs.

I expect this will take 5-7 minutes. I'll then explain that each of the speakers as I tee them up - Ken, Trey, Bob, and Myra, will take 5-7 minutes to give an overview of their perspective of developments and next steps from where they sit and their day to day work. After that, we'll go into a moderated discussion, and that the speakers and I have a few questions that we discussed to get this discussion moving. Finally, we'll have time for audience Q&A

307-315

ALEX: Turn to Ken, Senior Adviser to the Administrator for State and Regional Affairs. Ken, you've been traveling the country meeting with states and EPA Regions. Can give us some insights into what you're hearing and talking about as you make your travels? at

KEN: SPEAKS FOR 5 or so minutes. Back to Basics agenda, streamlining, lean, cooperative federalism, strategic plan, worksharing with states etc).

315-325

ALEX: Thanks Ken, (brief comment on anything heard). Now, I'd like to turn to Trey Glenn, the first Regional Administrator named and for Region 4. Trey, you've been in the role a few months now. Can you give us some perspective from your standpoint about what's happening in the Region and what are some of your priority areas.

TREY: Might be good to touch priorities like goals, the strategic plan, organizational focus for change in the Region, Superfund, Hurricane response, and more.

325-335

ALEX: Thanks Trey, (brief comment on anything heard). Now, I'd like to turn to Bob Martineau, Commissioner of the Tennessee Department of Environment and Conservation. Bob, can you tell some of the ways the new Administration is changing how you're working in TDEC, and what some of your goals are for your state as it builds relationships with the Headquarters and Regional political leadership? What are some areas you see opportunity for change, and what improvement have you already seen?

BOB: Maybe touch on Superfund/Brownfields, Infrastructure, and cooperative federalism; oversight, innovation

335-345

ALEX: Thanks Bob, (brief comment on anything heard). Myra, let me turn to you now as another Region 4 state. I'll pose a similar question to what I asked Bob, can you share some of the ways you're working with the new administration - maybe touch on storm response post Irma and water infrastructure - particularly rural infrastructure for which I know you and Ken share a passion.

MYRA: Touch on Irma response, water infrastructure, innovation in SC, expedited permitting

Thanks All, Now let's dive into a few additional areas and then open it up for Q&A.

345-405

QUESTION 1: SUPERFUND. You've all mentioned Superfund and Brownfields - a priority for EPA. What's working well with the current programs? (EACH TAKE A CRACK AT THIS). How about areas for improvement - Each take a response again. EG, SUPERFUND TASK FORCE REPORT

QUESTION 2: INFRASTRUCTURE & 404 ASSUMPTION/COOPERATIVE FEDERALISM. The Administration is on its way to launching an infrastructure program/legislative principles in early 2017. Let's talk a bit about the diverse types of

infrastructure - highways, airports, water/wastewater, energy. Each speaker pls comment on your perspective role in the infrastructure conversation. Alex will offer that states are looking at streamlined permitting and accelerated transparency - also mention the move towards 404 assumption. Ken or Trey may wish to comment on 404 assumption and the Assumable Waters FACA. Bob and Myra can talk about expedited permitting by states; same for Trey and Ken.

QUESTION 3: BACK TO BASICS AGENDA. Administrator Pruitt has talked extensively about a back to basics agenda and the rule of law. Can each of you reflect a bit about how is a focus on Back to Basics and Rule of Law is carrying itself out in your work? Alex may mention for states the look at statutorily required approvals by EPA of state actions vs. discretionary. Alex may mention the Missouri DNR letter which expresses concern with oversight that 'exceed what is expected of a normal audit function' and routine permit scrutiny that is 'over and above what is authorized in existing memoranda of agreement or other programmatic agreements.'

Q&A - 405-430

Alex will moderate open Q&A

Regards, Alex

Executive Director and General Counsel
ECOS

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