

Message

From: David M. (Max) Williamson [maxwilliamson@williamsonlawpolicy.com]
Sent: 12/18/2017 10:28:57 PM
To: Baptist, Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=10fc1b085ee14c6cb61db378356a1eb9-Baptist, Er]; Schwab, Justin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eed0f609c0944cc2bbdb05df3a10aadb-Schwab, Jus]
CC: Motley, Judy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Motley, Judy]; kharris@corn.org
Subject: RE: Ag Biogenic CO2

Erik and Justin, if your schedules have opened up a bit (perhaps wishful thinking), could we schedule a follow-up work session on the biogenic issue for the week prior to New Years or in the very early part of January?

If possible, it would be great to resolve this issue for Heartland investment in the first year of the Trump Administration.

Regards,

David M. (Max) Williamson | Williamson Law + Policy, PLLC
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From: David M. (Max) Williamson
Sent: Monday, November 6, 2017 9:42 AM
To: 'Baptist, Erik' <baptist.erik@epa.gov>; 'Schwab, Justin' <Schwab.Justin@epa.gov>
Cc: 'Motley, Judy' <motley.judy@epa.gov>; kharris@corn.org
Subject: RE: Ag Biogenic CO2

All, could we schedule a second work session on the resolution of the biogenic issue this week or next?

We found the first session very productive.

Regards,

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From: David M. (Max) Williamson
Sent: Wednesday, October 25, 2017 10:20 AM
To: 'Baptist, Erik' <baptist.erik@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Cc: Motley, Judy <motley.judy@epa.gov>; kharris@corn.org
Subject: RE: Ag Biogenic CO2

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Justin and Eric, thanks again for taking the time last week to work through a legal analysis of the biogenic CO2 issue. As discussed, to facilitate a resolution, we are sharing a legal analysis of the key regulatory actions (in Word format, attached) which forms the basis for our position that biogenic CO2 has never properly been determined to be a pollutant subject to regulation for purposes of the Clean Air Act.

I am also sharing the Biogenic CO2 Coalition's comments on the Significance Rule proposal from the prior administration, as it contains a comprehensive narrative discussion of the coalition's legal and policy positions.

We look forward to having another "work session" to discuss this issue once you have a chance to study the issues in greater depth. Would you be available sometime the week of November 5?

Regards,

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From: Baptist, Erik [<mailto:baptist.erik@epa.gov>]
Sent: Friday, October 13, 2017 12:18 PM
To: David M. (Max) Williamson <maxwilliamson@williamsonlawpolicy.com>; Schwab, Justin <Schwab.Justin@epa.gov>
Cc: Motley, Judy <motley.judy@epa.gov>
Subject: RE: Ag Biogenic CO2

Ok, let's plan for 1:30 p.m. that day.

Erik Baptist

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From: David M. (Max) Williamson [<mailto:maxwilliamson@williamsonlawpolicy.com>]
Sent: Friday, October 13, 2017 12:06 PM
To: Baptist, Erik <baptist.erik@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>

Cc: Motley, Judy <motley.judy@epa.gov>

Subject: Re: Ag Biogenic CO2

Erik, that can work - even better if we could start earlier we have a 3pm over at DOE. Thanks

David M. (Max) Williamson
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From: Baptist, Erik
Sent: Friday, October 13, 2017 11:39
To: David M. (Max) Williamson; Schwab, Justin
Cc: Motley, Judy
Subject: RE: Ag Biogenic CO2

Let's plan for Friday, October 20, at 2:00-3:00 p.m.

Thanks

Erik Baptist
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From: David M. (Max) Williamson [<mailto:maxwilliamson@williamsonlawpolicy.com>]
Sent: Friday, October 13, 2017 5:45 AM
To: Baptist, Erik <baptist.erik@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: RE: Ag Biogenic CO2

Thanks, Erik, I look forward to talking.

I could do morning of . . .

- Friday, Oct 20 (outside the proposed range but a Friday)
- Mon Oct 23
- Tues Oct 24 (morning)
- Fri Oct 27 is a possibility but probably by phone only

Best regards,

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From: Baptist, Erik [<mailto:baptist.erik@epa.gov>]
Sent: Friday, October 13, 2017 12:24 AM
To: David M. (Max) Williamson <maxwilliamson@williamsonlawpolicy.com>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: RE: Ag Biogenic CO2

Max,

Apologies for the delayed response. Is there a day during the week of October 23-27 that works best for you? Fridays are usually best for us.

Thanks,

Erik Baptist
Senior Deputy General Counsel
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From: David M. (Max) Williamson [<mailto:maxwilliamson@williamsonlawpolicy.com>]
Sent: Wednesday, October 4, 2017 8:17 AM
To: Schwab, Justin <Schwab.Justin@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>
Subject: Ag Biogenic CO2

Justin and Erik, following on a telecon with Mandy, I'd like to offer to sit down with you and walk through our legal analysis of the biogenic CO2 policy, which led us to the conclusion that re-interpreting the endangerment finding was the most sensible solution to this issue which has the ag community inflamed.

Could we convene a small working group (no more than 3-4) for an in-person sit down?

Regards,

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