01268-EPA-4

David McIntosh/DC/USEPA/US
01/29/2009 06:18 PM

To Richard Windsor
cc Lisa Heinzerling, Eric Wachter, Robert Goulding
bcc
Subject I'll miss the morning mtg again tomorrow, but that'll be for the last time

Tomorrow morning from 9 to 11 is the second of the two previously scheduled meetings between [redacted] EPA's climate modelers. [redacted] In the meantime, I'm accumulating some issues that merit your attention, although they can wait [redacted]

01268-EPA-5

Daniel Gerasimowicz/DC/USEPA/US
01/30/2009 05:01 PM

To
cc
bcc
Subject Briefing on the Response to the Endangerment Issue from Mass v. EPA

Meeting

Date 02/04/2009
Time 11:00:00 AM to 12:00:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location The Bullet Room

Ct: Dina Kruger 202-343-9039

Craig/McLean/Kruger/Birnbaum/DeAngelo/Holmes/McIntosh/Zinger/Krieger/Hannon/Heinzerling/Wegman/Oge/Lynch/Ketcham-Colwill/Embrey/Ossias/Brenner/Dunham/Page/Montoro/Wayland (by phone)

Dial -in:

(b) (6) Privacy
[redacted]
[redacted]

01268-EPA-6

Daniel Gerasimowicz/DC/USEPA/US
01/30/2009 08:27 PM

To
cc
bcc
Subject TVA Coal Ash Spill Briefing

Meeting

Date 02/04/2009
Time 04:00:00 PM to 04:45:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Bullet Room

Ct: Stan Meiburg 404-562-8357

Meiburg/Welborn/Hill/Wilkes/Mulkey/Breen/Levine/McCabe/Openchowski/McIntosh/Dietrich/Frank/Boornazian/Heinzerling/Lynch/Smith/Hale/Shapiro/Connors/ Kushner/Hill/R4 attendees by phone

Call-in# (b) (6) Privacy

01268-EPA-10

Daniel Gerasimowicz/DC/USEPA/US
02/05/2009 02:01 PM

To
cc
bcc
Subject Call with Carol Browner to discuss Coal Plants

Meeting

Date 02/09/2009
Time 10:00:00 AM to 10:30:00 AM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Your Office (3000 ARN)

Ct: Kate Brandt 202-503-5821

Staff: Dave Mc & Lisa H

The Administrator's office will connect with Carol Browner by phone (b) (6) Personal Privacy

01268-EPA-11

"Sean Darcy" <sean.darcy@gov.state.nj.us>
02/06/2009 04:36 PM

To Richard Windsor
cc
bcc
Subject Re: ap on mercury: obama seeks tougher controls

Who's better than you? No-bahdy!

(b) (6) Personal Privacy

Sent from Sean Darcy

----- Original Message -----
From: Windsor.Richard@epamail.epa.gov <Windsor.Richard@epamail.epa.gov>
To: Sean Darcy
Sent: Fri Feb 06 16:36:23 2009
Subject: Re: ap on mercury: obama seeks tougher controls

Don't mention it. (b) (6) Personal Privacy

----- Original Message -----
From: "Sean Darcy" [sean.darcy@gov.state.nj.us]
Sent: 02/06/2009 04:33 PM EST
To: Richard Windsor
Subject: Re: ap on mercury: obama seeks tougher controls

Thanks, Richard. Much appreciated.

Sent from Sean Darcy

----- Original Message -----
From: Windsor.Richard@epamail.epa.gov <Windsor.Richard@epamail.epa.gov>
To: Sean Darcy
Sent: Fri Feb 06 16:28:37 2009
Subject: Fw: ap on mercury: obama seeks tougher controls

----- Original Message -----
From: David Cohen
Sent: 02/06/2009 04:07 PM EST
To: Richard Windsor
Cc: Lisa Heinzerling
Subject: ap on mercury: obama seeks tougher controls

Obama seeks tougher controls on mercury emissions
By DINA CAPPIELLO, Associated Press Writer Dina Cappiello, Associated Press Writer 25 mins ago

WASHINGTON – The Obama administration signaled Friday that it will seek more stringent controls on mercury pollution from the nation's power plants, abandoning a Bush administration approach that the industry supported.

The Justice Department on Friday submitted papers to the Supreme Court to dismiss the Bush administration's appeal of the rule, which a lower court struck down last year.

Meanwhile, the Environmental Protection Agency said it would begin crafting a new rule limiting mercury emissions from power plants.

The court was expected to decide later this month whether it would take the case. Last year, an appeals court ruled that the Bush plan violated the law by allowing utilities to purchase emission credits instead of actually reducing emissions.

Such a plan would have allowed some power plants to release more mercury pollution than others, creating localized "hot spots" where concentrations are higher, states and environmental groups argued. The law requires all facilities to install the best technology available to curb emissions.

Power plants are the biggest source of mercury, which finds its way into the food supply. It is commonly found in high concentrations in fish. Mercury can damage developing brains of fetuses and very young children.

"It is yet another Bush administration policy they are not going to go forward with," said David Bookbinder, the Sierra Club's chief climate counsel.

The EPA also announced Friday that is was starting the review of the Bush administration's decision to deny California and other states the right to control emissions of the gases blamed for global warming for cars.

In a statement, the agency said there were significant issues with the previous administration's denial of the California request that represents a significant departure from the law.

While the administration has signaled it is breaking with its predecessor on several issues, Friday's filing on mercury is the first outright reversal of a legal position taken by the Bush administration at the Supreme Court.

EPA Administrator Lisa Jackson told reporters at a green jobs conference in Washington that the Obama administration would draft its own rules under the Clean Air Act to curb mercury emissions.

Jackson — who led the environmental department in New Jersey, one of 17 states that sued the Bush administration in 2006 — said the EPA would likely set limits on the toxic metal from power plants, as required by the law.

"We're better off spending all our resources making rules that will stick instead of fighting the courts on this one," Jackson said.

Representatives of the utility industry, which is still asking the Supreme Court to take up an appeal, said Friday that a new rule would further delay clean up of mercury and cost more than the Bush proposal.

"From an environmental perspective, the thing that is a real shame about all this is had the court left the mercury rule in place we would have had much greater mercury reductions at a lower cost," said Jeff Holmstead, head of the Environmental Strategies Group at the law firm Bracewell & Giuliani, which represents power producers.

___

01268-EPA-12

George Pavlou/R2/USEPA/US
02/06/2009 05:45 PM

To Richard Windsor
cc
bcc
Subject

Lisa, how are you? I hope all is well.

Here, we have dropped everything and are working on [redacted] (b) (5) Deliberative [redacted], to get them ready for it.

I also had an extensive conversation with [redacted] (b) (5) Deliberative, (b) (6) Personal Privacy [redacted] really nice guy that everybody would like to work with.

Take care and be well.

George Pavlou, Deputy Regional Administrator
EPA-Region 2
Telephone:212-637-5000

01268-EPA-16

George Pavlou/R2/USEPA/US
02/07/2009 04:26 PM

To Richard Windsor
cc
bcc
Subject Re:

Thanks Lisa.

We are here to help pull in your direction and give you all the support you need.

If there is anything you need directly or indirectly, please let me know. It will be my pleasure to help.

Take care and be well.
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 02/07/2009 02:34 PM EST
To: George Pavlou
Subject: Re:

I hear you George. It will several weeks or more til there is clarity (b) (5) Deliberative , thx for all your hard work and support. Lisa
George Pavlou

----- Original Message -----
From: George Pavlou
Sent: 02/06/2009 05:45 PM EST
To: Richard Windsor

Lisa, how are you? I hope all is well.

Here, we have dropped everything and are working (b) (5) Deliberative to get them ready for it.

I also had an extensive conversatio (b) (6) Privacy, (b) (5) Deliberative a really nice guy that everybody would like to work with.

Take care and be well.

George Pavlou, Deputy Regional Administrator
EPA-Region 2
Telephone:212-637-5000

01268-EPA-20

Daniel Gerasimowicz/DC/USEPA/US
02/10/2009 10:53 AM

To
cc
bcc
Subject Address the Joint Center for Political and Economic Studies' National Commission to Engage African Americans on Climate Change Summit

Meeting

Date 02/12/2009
Time 09:00:00 AM to 09:30:00 AM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Howard University, Blackburn Ballroom
2397 Sixth Street, N.W.
Washington, D.C. 20059

Ct: Royce Brooks (b) (6) Personal Privacy

01268-EPA-21

Eric Wachter/DC/USEPA/US
02/11/2009 10:53 AM

To Richard Windsor
cc
bcc
Subject Fw: Golledge Greetings & Congratulations!

Message Information

Date 02/11/2009 08:29 AM
From **robert golledge** (b) (6) Personal Privacy
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Golledge Greetings & Congratulations!

Message Body

Madame Administrator:

Congratulations on your new assignment and exciting position!

(b) (6) Privacy

Please don't hesitate to call on me if I can be of any assistance. Best wishes as you tackle the new post!

Regards, Bob

(b) (6) Personal Privacy

Stay up to date on your PC, the Web, and your mobile phone with Windows Live. See Now

OEX Processing Information

Processed Date:
Processed By
PO Office **Category:**
Message Count

01268-EPA-23

"John Watson" <John.Watson@dep.state.nj.us>

02/13/2009 08:44 AM

To Richard Windsor

cc Robert Goulding, Eric Wachter, Richard Windsor

bcc

Subject Re: exerpt from the national EJ Resource Center article (Dr. Sheats)

Hey;

Here ya go!-

My first try came back for some reason...

Dr. Nicky Sheats
nsheats@tesc.edu
wk# 609.777.4351 Ext. 4289
Cell# (b) (6) Personal Privacy
Hme# (b) (6) Personal Privacy

He is on his way today to Chicago for the American Association for the Advancement of Science Conference where he is on a Climate Change Panel that is moderated by his advisor Jim McCarthy (current President of AAAS and close Gore advisor). He's back in NJ Wednesday, but will be checking his cell phone periodically.

Looks forward to speaking with you.

Hope to see you soon.

Jay

>>> <Windsor.Richard@epamail.epa.gov> 2/11/2009 6:04 PM >>>
Hey. Tx for that. Can you get me his contact info so Eric can get me phone time to reach out to him re climate issues? Rob - I'll likely follow up w a mtg. Lisa

----- Original Message -----
From: "John Watson" [John.Watson@dep.state.nj.us]
Sent: 02/11/2009 04:33 PM EST
To: Richard Windsor
Subject: exerpt from the national EJ Resource Center article (Dr. Sheats)

** Confidential **

Hey;

Just wanted to pass on this article where Dr. Sheats is quoted FYI.

"There is good reason to be optimistic about environmental justice being placed back on the national radar with Obama's selection to EPA," says Dr. Robert Bullard, the "father of environmental justice," and founder

of the Environmental Justice Resource Center <http://www.ejrc.cau.edu/> in Atlanta. He gave the same praise to Obama's selections for Department of Energy (Stephen Chu), Sutley, and Browner (adding that the movement made important strides when Browner was head of the EPA).

"[Jackson] gave us a lot of access," says Dr. Nicky Sheats, statewide coordinator of the New Jersey Environmental Justice Alliance <http://www.njeja.org/> and director of the Center for Urban Environment <http://www.tesc.edu/4423.php> at the John S. Watson Institute for Public Policy in Trenton. "We feel here that she is concerned about environmental justice and to us it sends a signal that it would get a higher priority than it has already."

01268-EPA-24

Allyn Brooks-LaSure/DC/USEPA/US

02/16/2009 12:14 PM

To Richard Windsor
cc
bcc
Subject Interviews for Tuesday

You have interviews tomorrow with the NY Times and Associated Press. (b) (5) Deliberative

(b) (5) Deliberative story specifically on that. We will discuss this in more detail tomorrow.

I will staff you for the interviews and David Cohen, Lisa H. and I will brief you beforehand.

Both reporters plan to bring photogs -- AND, the AP will bring a videographer to film you -- so please no clothes with small patterns or lots of colors.

We will talk in more detail about messaging during the briefing, (b) (5) Deliberative

This is an opportunity for them to see you -- and for them to understand how the Lisa Jackson era of the EPA will be different (b) (5) Deliberative protect the American people and b) this new administrator brings a unique style, personality, vision to this work and will be good for the agency/administration/movement.

We are scheduling (b) (5) Deliberative

I am working on a draft document -- (b) (5) Deliberative

INTERVIEW WITH NEW YORK TIMES
REPORTER: John Broder
SUBJECT: Handshake meeting; Opportunity to outline agenda; endangerment
TIME: 4:15-4:30pm (30 minutes)

INTERVIEW WITH ASSOCIATED PRESS
REPORTER: Dina Cappiello
SUBJECT: Handshake meeting; Opportunity to outline agenda
TIME: 4:45-5:15pm (30 minutes)

NOTE (b) (5) Deliberative

01268-EPA-26

Daniel Gerasimowicz/DC/USEPA/US
02/17/2009 11:25 AM

To
cc
bcc
Subject Mtg with the Czech Minister for the Environment/President of the EU Environmental Council Martin Bursik, Swedish Minister Andreas Carlgren, EC Commissioner for the Environment, Stavros Dimas

Meeting

Date 03/16/2009
Time 09:20:00 AM to 10:10:00 AM
Chair Megan Cryan
Invitees
Required
Optional
FYI
Location The Bullet Room

Ct Eva Cernikova (b) (6) Personal Privacy

EPA Staff: Lisa Heinzerling, Dave McIntosh, Anna Phillips (OIA) Scott Fulton Michael Stahl, Walker Smith

Delegation of the Czech Republic:
Mr. Martin Bursík, Minister of the Environment, President of the EU Environment Council
Mr. Pavel Zámyslický, Director of Climate Change Department, Min. of Environment
Mr.James Leigh Hunt, Minister's Envoy for Climate Change, Min. of Environment

Delegation of the European Commission:
Mr. Stavros Dimas, EC Commissioner for Environment
Mr. Laurence Graff, cabinet member
Mr.Jos Delbeke, Deputy Director-General
Mr. Angelos Pangratis, deputy Head of Delegation of the European Commission

Delegation of Sweden :

Mr. Andreas Carlgren, Minister for the Environment
Mrs. Åsa-Britt Karlsson, State Secretary, Ministry of the Environment
Mr. Anders Turesson, Chief Negotiator Climate Change
Mr. Jonas Hafström, Ambassador, Swedish Embassy

(there will be a brief photo op in the Administrator's office, then the group will meet in the Bullet Room)

01268-EPA-27

Daniel Gerasimowicz/DC/USEPA/US
02/17/2009 12:23 PM

To
cc
bcc
Subject Meeting with United Nations Framework Convention on Climate Change Executive Secretary Mr. Yvo de Boer

Meeting

Date 03/04/2009
Time 03:15:00 PM to 03:45:00 PM
Chair Megan Cryan
Invitees
Required
Optional
FYI
Location The Administrator's Office

Ct: Henning Wuester (b) (6) Personal Privacy or hwuester@unfccc.int

EPA Staff: Lisa Heinzerling, Gary Waxmonsky, Martin Dieu, Walker Smith

UNFCC Staff Attending: Henning Wuester, Carrie Assheuer

01268-EPA-28

Allyn
Brooks-LaSure/DC/USEPA/US

02/18/2009 06:46 PM

To Richard Windsor
cc
bcc
Subject Broder story is out.

(b) (5) Deliberative

EPA to Regulate Greenhouse Gases

By JOHN M. BRODER

WASHINGTON - The Environmental Protection Agency is expected for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which likely would play out in stages over a period of months, would have a profound impact on transportation, building standards, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and climate change legislation in Congress and form a basis for the United States' negotiating position at United Nations climate talks set for December in Copenhagen.

The E.P.A. is under order from the Supreme Court to make a determination whether carbon dioxide is a pollutant that endangers public health and safety, an order that the Bush administration essentially ignored despite a near-unanimous belief among E.P.A. experts that the research points inexorably to such a finding.

Lisa P. Jackson, the new E.P.A. administrator, said in an interview that she has asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding, although she said she had not made a final decision to issue one. But she pointedly noted that the second anniversary of the Supreme Court decision, in Massachusetts v. E.P.A., is April 2. "We here know how momentous that decision could be," she said. "We have to lay out a road map."

She took a first step on Tuesday when she said the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson said that the action would not be "the final word" from the E.P.A. on the regulation of carbon dioxide emissions.

The White House has signaled that it fully supports Ms. Jackson's approach, deferring to her to discuss the administration's response to the Supreme Court case. Benjamin LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to Carol Browner, the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding "consistent with its obligations under the recent Supreme Court decision." She said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the regulatory authority of the executive branch to reduce global warming emissions.

If the E.P.A. determines that carbon dioxide is a dangerous pollutant to be regulated under the Clean Air Act, it would set off one of the most extensive regulatory rule-makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and she said that she is trying to craft a program that would allay these worries.

"We are poised to be specific on what we regulate and on what schedule," she said. "We don't want people to spin that into a doomsday scenario."

Even some who favor an aggressive approach to climate change are wary of the E.P.A. asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not intendedto regulate ubiquitous substances like carbon dioxide. They also believe that a broader approach that addresses all aspects of the economy and is fully debated in Congress would better than a regulatory action that could easily drag through the courts for years.

The finding and the proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

"What we are likely to see is an interplay of authorities, some new, some existing," she said.

That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell Jr., the Michigan Democrat who has long championed the interests of the American auto industry, said that regulation of carbon dioxide emissions by the E.P.A. would set off a "glorious mess" that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress's authority by using the E.P.A.'s regulatory power to address global warming. He called the use of the Clean Air Act to regulate carbon "a disaster waiting to happen."

Many environmental advocates said the E.P.A.'s action is long overdue. But they see the measure, they said, as a stopgap until Congress passes comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the Sierra Club, one of the plaintiffs in the Supreme Court

case. But he said that Congressional action is preferable to E.P.A. acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions. Trying to address climate change via a series of rulemakings from E.P.A. is a distant second best."

01268-EPA-29

Allyn Brooks-LaSure/DC/USEPA/US

02/18/2009 06:54 PM

To Richard Windsor
cc
bcc
Subject Re: Broder story is out.

(b) (5) Deliberative

MABL.

Richard Windsor (b) (5) Deliberative 02/18/2009 06:51:09 PM

From: Richard Windsor/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 02/18/2009 06:51 PM
Subject: Re: Broder story is out.

(b) (5) Deliberative

(b) (5) Deliberative

Allyn Brooks-LaSure

----- Original Message -----
From: Allyn Brooks-LaSure
Sent: 02/18/2009 06:46 PM EST
To: Richard Windsor
Subject: Broder story is out.

(b) (5) Deliberative

EPA to Regulate Greenhouse Gases

By JOHN M. BRODER

WASHINGTON - The Environmental Protection Agency is expected for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which likely would play out in stages over a period of months, would have a profound impact on transportation, building standards, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and climate change legislation in Congress and form a basis for the United States' negotiating position at United Nations climate talks set for December in Copenhagen.

The E.P.A. is under order from the Supreme Court to make a determination whether carbon

dioxide is a pollutant that endangers public health and safety, an order that the Bush administration essentially ignored despite a near-unanimous belief among E.P.A. experts that the research points inexorably to such a finding.

Lisa P. Jackson, the new E.P.A. administrator, said in an interview that she has asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding, although she said she had not made a final decision to issue one. But she pointedly noted that the second anniversary of the Supreme Court decision, in Massachusetts v. E.P.A., is April 2. “We here know how momentous that decision could be,” she said. “We have to lay out a road map.”

She took a first step on Tuesday when she said the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson said that the action would not be “the final word” from the E.P.A. on the regulation of carbon dioxide emissions.

The White House has signaled that it fully supports Ms. Jackson’s approach, deferring to her to discuss the administration’s response to the Supreme Court case. Benjamin LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to Carol Browner, the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding “consistent with its obligations under the recent Supreme Court decision.” She said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the regulatory authority of the executive branch to reduce global warming emissions.

If the E.P.A. determines that carbon dioxide is a dangerous pollutant to be regulated under the Clean Air Act, it would set off one of the most extensive regulatory rule-makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and she said that she is trying to craft a program that would allay these worries.

“We are poised to be specific on what we regulate and on what schedule,” she said. “We don’t want people to spin that into a doomsday scenario.”

Even some who favor an aggressive approach to climate change are wary of the E.P.A. asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not intendedto regulate ubiquitous substances like carbon dioxide. They also believe that a broader approach that addresses all aspects of the economy and is fully debated in Congress would better than a regulatory action that could easily drag through the courts for years.

The finding and the proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

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That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell Jr., the Michigan Democrat who has long championed the interests of the American auto industry, said that regulation of carbon dioxide emissions by the E.P.A. would set off a “glorious mess” that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress’s authority by using the E.P.A.’s regulatory power to address global warming. He called the use of the Clean Air Act to regulate carbon “a disaster waiting to happen.”

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01268-EPA-30

Richard Windsor/DC/USEPA/US
02/18/2009 06:55 PM

To Allyn Brooks-LaSure
cc
bcc
Subject Re: Broder story is out.

(b) (5) Deliberative

Allyn Brooks-LaSure

----- Original Message -----
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Sent: 02/18/2009 06:46 PM EST
To: Richard Windsor
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(b) (5) Deliberative

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That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell Jr., the Michigan Democrat who has long championed the interests of the American auto industry, said that regulation of carbon dioxide emissions by the E.P.A. would set off a "glorious mess" that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress's authority by using the E.P.A.'s regulatory power to address global warming. He called the use of the Clean Air Act to regulate carbon "a disaster waiting to happen."

Many environmental advocates said the E.P.A.’s action is long overdue. But they see the measure, they said, as a stopgap until Congress passes comprehensive climate change legislation.

"It’s politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the Sierra Club, one of the plaintiffs in the Supreme Court case. But he said that Congressional action is preferable to E.P.A. acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions. Trying to address climate change via a series of rulemakings from E.P.A. is a distant second best."

01268-EPA-34

Allyn Brooks-LaSure/DC/USEPA/US

02/22/2009 06:32 PM

To Richard Windsor, "David McIntosh", "Lisa Heinzerling", "Bob Sussman"
cc "Michael Allyn Brooks-LaSure"
bcc
Subject Re: 2nd UPDATE:US Climate Czar: CO2 Regulation Ruling To Come Soon

(b) (5) Deliberative

The administration recognizes that these are hard times for the auto industry, and we are exploring a process to develop a national policy for autos within the context of larger restructuring negotiations.

The administration is engaged with Congress to pass cap and trade legislation, which the President believes is far superior to a regulatory approach using the existing Clean Air Act. If EPA finds that greenhouse gases endanger health or welfare, the next steps would be taken thoughtfully and with input from all stakeholders.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 02/22/2009 06:20 PM EST
To: "David McIntosh" <mcintosh.david@epa.gov>; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Bob Sussman" <sussman.bob@epa.gov>
Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: 2nd UPDATE:US Climate Czar: CO2 Regulation Ruling To Come Soon

(b) (5) Deliberative

http://money.cnn.com/news/newsfeeds/articles/djf500/200902221138DOWJONESDJONLINE000312_FORTUNE5.htm

01268-EPA-35

Scott Fulton/DC/USEPA/US
02/23/2009 09:50 AM

To Robert Goulding, Ray Spears
cc Craig Hooks, David McIntosh, Eric Wachter, Lisa Heinzerling, Richard Windsor
bcc
Subject Re: Monday, February 23, 2009 Schedule for Lisa P. Jackson

[redacted] (b) (5) Deliberative

Robert Goulding Hi Administrator - Please note your re... 02/20/2009 08:00:24 PM

From: Robert Goulding/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Craig Hooks/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA
Date: 02/20/2009 08:00 PM
Subject: Monday, February 23, 2009 Schedule for Lisa P. Jackson

Hi Administrator -

Please note your revised schedule for Monday, [redacted] (b) (5) Deliberative I am happy to re-arrange anything else as needed.

Robert Goulding
Director of Operations
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20004
(p) 202-564-4700
(f) 202-501-1450

*Please consider the environment before printing this e-mail
----- Forwarded by Robert Goulding/DC/USEPA/US on 02/20/2009 07:56 PM -----
*** do not copy or forward this information ***

EPA Administrator
Lisa P. Jackson
Schedule
Monday, February 23, 2009

08:02 AM - 10:25 AM	Trenton Station	79 Amtrak Regional
10:30 AM - 10:45 AM	Union Station	Depart for Ariel Rios
11:00 AM - 11:45 AM	The Bullet Room	Briefing to discuss Air Monitoring and the USA Today Air Toxics Special Report

		Ct: Shela Poke-Williams 564-1850 Kushner/McGartland/Cristofaro/Davis/Banister/Johnson/B.Craig/Axelrad/Sussman/McC abe/Mackay/Rice/Guinnup/McIntosh/Zinger/Cotsworth/Clark/J.Craig/Noonan/Jones/Mil lett/Lewis/Frank/Sargeant/Mitchell/ Teichman/Starfield/Kadeli/Heinzerling/Wise/Wegman/Oge/Pirzadeh/Hill/Wayland/Bren ner/Lee/McCully/Page/Hanley/ *RTP will attend by phone (audio hookup)
11:45 AM - 12:15 PM	Your Office	Bob Watts contact: Bob Watts, (b) (6) Privacy
12:15 PM - 12:30 PM	Ariel Rios	Depart for DOE
12:30 PM - 01:30 PM	DOE, 1000 Independence Ave., SW	Climate and Energy Lunch Ct: Lyndsey (b) (6) Privacy VIP Desk on left - Staff to greet.
01:30 PM - 01:45 PM	DOE	Depart for Ariel Rios
02:00 PM - 02:45 PM	Roosevelt Room, WH	Presidential Meeting w/ energy and environmental agencies Ken L. Salazar, Secretary of the Interior Tom J. Vilsack, Secretary of Agriculture Shaun Donovan, Secretary of Housing and Urban Development Ray H. LaHood, Secretary of Transportation Steven Chu, Secretary of Energy Lisa P. Jackson, Administrator, Environmental Protection Agency John P. Holdren, Assistant to the President for Science and Technology, Director of the White House Office of Science and Technology Policy Nancy H. Sutley, Chair, White House Council on Environmental Quality
02:45 PM - 03:15 PM	The Administrator's Office	Craig Hooks to Handle: Briefing to discuss Follow-ups from Union Meeting Ct: Dennis Franklin 564-0333 Hooks/Hazen/Lemley/Davis
03:30 PM - 04:15 PM	Your Office	Meeting (b) (5) Deliberative, (b) (6) Personal Privacy [redacted]
04:30 PM - 04:45 PM	The Administrator's Office	Call with Mike Shapiro Ct: Lori Keyton 564-5768 Mike Shapiro will dial the Administrator at 564-4700
05:00 PM - 05:30 PM	The Administrator's Office	Meet (b) (5) Deliberative, (b) (6) Personal Privacy [redacted]
06:10 PM - 06:30 PM	Ariel Rios	Depart for Georgetown University Law Center
06:30 PM - 07:00 PM	Gtown Univ Law Center 12th Floor, Gewirz	Speech at Opening Reception of the Georgetown State-Federal Climate Resource Center. Lead Advance: Megan Cryan (b) (6) Privacy

Student Center- 120 F St, N.W.

Staff: Lisa Heinzerling (b) (6) Privacy

Security Lead: (b) (6) Privacy

Site Contact: Vicki Arroyo (b) (6) Privacy

*** 02/20/2009 07:56:16 PM ***

01268-EPA-41

Daniel Gerasimowicz/DC/USEPA/US
02/24/2009 04:54 PM

To
cc
bcc
Subject Meeting with Australian Climate Change Minister Penny Wong

Meeting

Date 04/01/2009
Time 11:00:00 AM to 11:45:00 AM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location The Bullet Room

Ct: Siobhan Purcell (b) (6) Personal Privacy siobhan.purcell@dfat.gov.au
Elizabeth Ward (b) (6) Personal Privacy

Staff: Lisa Heinzerling (OA)
Scott Fulton (OA, OIA)
Beth Craig, Dina Kruger (OAR)
Gary Waxmonsky, Katherine Buckely (OIA)
Mike Shapiro, Roger Gorke (OW)

Attendees:

Senator the Hon. Penny Wong, Minister for Climate Change and Water
Dr Martin Parkinson, Secretary, Department of Climate Change
Mr David Gordon Stuart, Deputy Chief of Mission
Mr Howard Bamsey, Special Envoy for Climate Change, and Deputy Secretary, Department of Climate Change
Ms Kristina Hickey, Adviser, Office of the Minister for Climate Change
Mr Joshua Meltzer, First Secretary (Trade Policy), Embassy of Australia

01268-EPA-42

"Corman, Bicky (DDOE)"
<bicky.corman@dc.gov>
02/26/2009 09:55 PM

To Richard Windsor
cc
bcc
Subject RE: greetings -

(b) (6) Privacy

Pelosi and Reid: No more coal for Capitol Power Plant

[*Please Digg this post by clicking here .*]

No doubt spurred on by the impending civil disobedience, Speaker of the House Nancy Pelosi (D-CA) posted a statement and a letter on her blog (here):

Today, Speaker Pelosi and Senate Majority Leader Harry Reid sent the following letter to the Acting Architect of the Capitol, Stephen T. Ayers, **asking that the Capitol Power Plant (CPP) use 100 percent natural gas for its operations**. They write, "the switch to natural gas will allow the CPP to dramatically reduce carbon and criteria pollutant emissions, eliminating more than 95 percent of sulfur oxides and at least 50 percent of carbon monoxide… We strongly encourage you to move forward aggressively with us on a comprehensive set of policies for the entire Capitol complex and the entire Legislative Branch to quickly reduce emissions and petroleum consumption through energy efficiency, renewable energy, and clean alternative fuels."

UPDATE: Bill McKibben, who helped organize the impending civil disobedience at the CPP emails me "just to say, **this civil disobedience stuff kind of works. How many coal plants are there?**"

Here is the letter:

February 26, 2009
Mr. Stephen T. Ayers

Acting Architect of the Capitol
SB-15 U.S. Capitol
Washington, DC 20515

Dear Mr. Ayers:

We want to commend your office for working to implement the Green the Capitol Initiative by increasing energy efficiency and reducing greenhouse gas emissions. However, there is a shadow

that hangs over the success of your and our efforts to improve the environmental performance of the Capitol and the entire Legislative Branch. The Capitol Power Plant (CPP) continues to be the number one source of air pollution and carbon emissions in the District of Columbia and the focal point for criticism from local community and national environmental and public health groups.

Since 1910, as you know, the CPP has continuously provided the Capitol, House and Senate office buildings, and other facilities with steam and chilled water for heating and cooling purposes. The plant remains an important component of the facilities master plan and the future of the Capitol complex, and we know your office has taken steps to make the plant cleaner and more efficient. While your progress has been noteworthy, more must be done to dramatically reduce plant emissions and the CPP's impact. Since there are not projected to be any economical or feasible technologies to reduce coal-burning emissions soon, there are several steps you should take in the short term to reduce the amount of coal burned at the plant while preparing for a conversion to cleaner burning natural gas.

We encourage you to take advantage of current excess capacity to burn cleaner fuels and reduce pollution. According to the General Accounting Office (GAO) and an independent analysis from Lawrence Berkeley National Laboratory, the boilers at the CPP are now running with more capacity than has been historically demanded or anticipated. Even with the new Capitol Visitor Center in operation, these analyses show there is sufficient capacity to further increase the burning of natural gas and still meet energy demands at peak hours.

We are also interested in identifying and supporting funding to retrofit CPP if necessary so that it can operate on 100 percent natural gas. Unfortunately, our staff has received conflicting information and cost estimates on what would actually be required to operate the CPP year-round with exclusively natural gas. If a retrofit of two remaining boilers is indeed required, then we encourage you to develop realistic budget numbers to accomplish the retrofit expeditiously including any costs for the purchase of additional quantities of natural gas. In your budget analysis, it is important to take into account that time is of the essence for converting the fuel of the CPP. Therefore it is our desire that your approach focus on retrofitting at least one of the coal boilers as early as this summer, and the remaining boiler by the end of the year.

While the costs associated with purchasing additional natural gas will certainly be higher, the investment will far outweigh its cost. The switch to natural gas will allow the CPP to dramatically reduce carbon and criteria pollutant emissions, eliminating more than 95 percent of sulfur oxides and at least 50 percent of carbon monoxide. The conversion will also reduce the cost of storing and transporting coal as well as the costs associated with cleaning up the fly ash and waste. Eliminating coal from the fuel mixture should also assist the City of Washington, D.C., in meeting and complying with national air quality standards, and demonstrate that Congress can be a good and conscientious neighbor by mitigating health concerns for residents and workers around Capitol Hill.

Taking this major step toward cleaning up the Capitol Power Plant's emissions would be an important demonstration of Congress' willingness to deal with the enormous challenges of global warming, energy independence and our inefficient use of finite fossil fuels. We strongly

encourage you to move forward aggressively with us on a comprehensive set of policies for the entire Capitol complex and the entire Legislative Branch to quickly reduce emissions and petroleum consumption through energy efficiency, renewable energy, and clean alternative fuels.

Thank you for your attention to this critical matter.

best regards,

NANCY PELOSI
Speaker of the House

HARRY REID
Senate Majority Leader

Bicky Corman
General Counsel
Government of the District of Columbia
District Department of the Environment
Office of the General Counsel
51 N St., N.E., 6th Floor
Washington, DC 20002
(202) 535-1951 (Direct)
(202) 535-2881 (Fax)
Bicky.Corman@dc.gov
www.ddoe.dc.gov

From: Windsor.Richard@epamail.epa.gov [mailto:Windsor.Richard@epamail.epa.gov]
Sent: Thursday, February 26, 2009 9:43 PM
To: Corman, Bicky (DDOE)
Subject: Re: greetings -

(b) (6) Privacy

From: "Corman, Bicky (DDOE)" [bicky.corman@dc.gov]
Sent: 02/26/2009 09:39 PM EST
To: Richard Windsor
Subject: greetings -

(b) (6) Personal Privacy

Bicky Corman
General Counsel
Government of the District of Columbia
District Department of the Environment
Office of the General Counsel
51 N St., N.E., 6th Floor
Washington, DC 20002
(202) 535-1951 (Direct)
(202) 535-2881 (Fax)
Bicky.Corman@dc.gov
www.ddoe.dc.gov

01268-EPA-43

"Corman, Bicky (DDOE)" <bicky.corman@dc.gov>
02/26/2009 10:22 PM

To Richard Windsor
cc
bcc
Subject Re: greetings -

Don't know. I'll call you tomorrow.

Sent from my GoodLink synchronized handheld (www.good.com)

-----Original Message-----
From: Windsor.Richard@epamail.epa.gov [mailto:Windsor.Richard@epamail.epa.gov]
Sent: Thursday, February 26, 2009 10:06 PM Eastern Standard Time
To: Corman, Bicky (DDOE)
Subject: Re: greetings -

How cool! Think it will stick?

----- Original Message -----
From: "Corman, Bicky (DDOE)" [bicky.corman@dc.gov]
Sent: 02/26/2009 09:55 PM EST
To: Richard Windsor
Subject: RE: greetings -

(b) (6) Personal Privacy

Pelosi and Reid: No more coal for Capitol Power Plant
<http://climateprogress.org/2009/02/26/pelosi-and-reid-no-more-coal-for-capitol-power-plant/>

[Please Digg this post by clicking here
<http://digg.com/environment/Pelosi_and_Reid_No_more_coal_for_Capitol_Power_Plant> .]

No doubt spurred on by the impending civil disobedience
<http://climateprogress.org/2009/02/26/is-it-time-for-civil-disobedience-at-coal-plants-would-you-get-arrested-to-help-save-a-livable-climate-heres-your-chance-monday-in-dc/> , Speaker of the House Nancy Pelosi (D-CA) posted a statement and a letter on her blog (here <http://www.speaker.gov/blog/?p=1711>):

Today, Speaker Pelosi and Senate Majority Leader Harry Reid sent the

following letter to the Acting Architect of the Capitol, Stephen T. Ayers, asking that the Capitol Power Plant (CPP) use 100 percent natural gas for its operations. They write, "the switch to natural gas will allow the CPP to dramatically reduce carbon and criteria pollutant emissions, eliminating more than 95 percent of sulfur oxides and at least 50 percent of carbon monoxide... We strongly encourage you to move forward aggressively with us on a comprehensive set of policies for the entire Capitol complex and the entire Legislative Branch to quickly reduce emissions and petroleum consumption through energy efficiency, renewable energy, and clean alternative fuels."

UPDATE: Bill McKibben, who helped organize the impending civil disobedience <http://climateprogress.org/2009/02/26/is-it-time-for-civil-disobedience-at-coal-plants-would-you-get-arrested-to-help-save-a-livable-climate-heres-your-chance-monday-in-dc/> at the CPP emails me "just to say, this civil disobedience stuff kind of works. How many coal plants are there?"

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Acting Architect of the Capitol
SB-15 U.S. Capitol
Washington, DC 20515

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Thank you for your attention to this critical matter.

best regards,

NANCY PELOSI
Speaker of the House

HARRY REID
Senate Majority Leader

Bicky Corman

General Counsel

Government of the District of Columbia

District Department of the Environment

Office of the General Counsel

51 N St., N.E., 6th Floor

Washington, DC 20002

(202) 535-1951 (Direct)

(202) 535-2881 (Fax)

Bicky.Corman@dc.gov

www.ddoe.dc.gov
<file:///C:\Documents%20and%20Settings\bicky.corman\Application%20Data\Microsoft\Signatures\www.ddoe.dc.gov>

From: Windsor.Richard@epamail.epa.gov
[mailto:Windsor.Richard@epamail.epa.gov]
Sent: Thursday, February 26, 2009 9:43 PM
To: Corman, Bicky (DDOE)
Subject: Re: greetings -

(b) (6) Personal Privacy

From: "Corman, Bicky (DDOE)" [bicky.corman@dc.gov]
Sent: 02/26/2009 09:39 PM EST
To: Richard Windsor
Subject: greetings -

(b) (6) Personal Privacy

Bicky Corman

General Counsel

Government of the District of Columbia

District Department of the Environment

Office of the General Counsel

51 N St., N.E., 6th Floor

Washington, DC 20002

(202) 535-1951 (Direct)

(202) 535-2881 (Fax)

Bicky.Corman@dc.gov

www.ddoe.dc.gov
<file:///C:\Documents%20and%20Settings\bicky.corman\Application%20Data\Microsoft\Signatures\www.ddoe.dc.gov>

01268-EPA-45

"Corman, Bicky (DDOE)" <bicky.corman@dc.gov>
02/27/2009 01:15 PM

To Richard Windsor
cc
bcc
Subject RE: Case-by-Case MACT Letter

(b) (5) Deliberative

Bicky Corman
General Counsel
Government of the District of Columbia
District Department of the Environment
Office of the General Counsel
51 N St., N.E., 6th Floor
Washington, DC 20002
(202) 535-1951 (Direct)
(202) 535-2881 (Fax)
Bicky.Corman@dc.gov
www.ddoe.dc.gov

From: Windsor.Richard@epamail.epa.gov [mailto:Windsor.Richard@epamail.epa.gov]
Sent: Friday, February 27, 2009 1:09 PM
To: Corman, Bicky (DDOE)
Subject: Re: Case-by-Case MACT Letter

(b) (5) Deliberative

From: "Corman, Bicky (DDOE)" [bicky.corman@dc.gov]
Sent: 02/27/2009 12:48 PM EST
To: Richard Windsor
Subject: FW: Case-by-Case MACT Letter

(b) (5) Deliberative

Bicky Corman

General Counsel
Government of the District of Columbia
District Department of the Environment
Office of the General Counsel
51 N St., N.E., 6th Floor
Washington, DC 20002
(202) 535-1951 (Direct)
(202) 535-2881 (Fax)
Bicky.Corman@dc.gov
www.ddoe.dc.gov

01268-EPA-47

David McIntosh/DC/USEPA/US
02/28/2009 12:34 PM

To Richard Windsor
cc
bcc
Subject Re: fyi: in case u have not seen yet:

(b) (5) Deliberative

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 02/28/2009 12:26 PM EST
To: David McIntosh
Subject: Re: fyi: in case u have not seen yet:

(b) (5) Deliberative

David McIntosh

----- Original Message -----
From: David McIntosh
Sent: 02/28/2009 11:55 AM EST
To: Richard Windsor; David Cohen; Allyn Brooks-LaSure; Lisa Heinzerling; "David McIntosh" <mcintosh.david@epa.gov>
Subject: Re: fyi: in case u have not seen yet:

(b) (5) Deliberative

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 02/28/2009 11:38 AM EST
To: David Cohen; Allyn Brooks-LaSure; Lisa Heinzerling; "David McIntosh" <mcintosh.david@epa.gov>
Subject: Re: fyi: in case u have not seen yet:

(b) (5) Deliberative

David Cohen

----- Original Message -----
From: David Cohen

Sent: 02/28/2009 08:53 AM EST
To: Richard Windsor; Allyn Brooks-LaSure; Lisa Heinzerling
Subject: fyi: in case u have not seen yet:

broder today in the times has an interesting analysis of the politics of climate change:

February 28, 2009
News Analysis

Obama's Greenhouse Gas Gamble

By JOHN M. BRODER

WASHINGTON — In proposing mandatory caps on the greenhouse gases linked to global warming and a system for auctioning permits to companies that emit them, President Obama is taking on a huge political and economic challenge.

Business lobbies and many Republicans raised loud objections to the cap-and-trade program Mr. Obama proposed as part of his budget this week, saying the plan amounted to a gigantic and permanent tax on oil, electricity and manufactured goods, a shock they said the country could not handle during economic distress.

Green groups and supportive members of Congress applauded, saying the proposal was long overdue after eight years of inaction on climate change under President George W. Bush. The costs, they said, would not begin to bite until at least 2012.

But the full costs and benefits of controlling greenhouse gas emissions remain unknown, and perhaps unknowable. While there is rough consensus on the science of global warming — with some notable and vocal objectors — there is less agreement on the economics of the problem and very little on the policy prescriptions to address it. And while a cap-and-trade approach bears substantial cost, it also brings a benefit whose value is incalculable — a steady decrease in emissions that scientists say will over time reduce the risk of climate catastrophe.

Mr. Obama's budget estimates $645 billion in cap-and-trade revenue over the next 10 years that will largely be paid by oil, electric power and heavy industries that produce the majority of carbon dioxide and other gases blamed for the warming of the planet. Many of these costs are expected to be passed on to consumers.

But Mr. Obama offered a sweetener in the form of tax relief for lower- and middle-income families and billions of dollars in new spending for renewable sources of power to cut emissions and ultimately, it is hoped, bring down the cost of energy. He also plans to spend billions to weatherize homes to bring down heating costs for the poor.

Congress has debated versions of a cap-and-trade regime for years but never enacted one, in part because it would become so complex. The House is working on such legislation now; Senate leaders promise action later this year. Mr. Obama laid out only broad principles and targets, and his aides admit that revenue estimates are only a rough guess and will depend on whatever emerges from Congress. The White House projects the program to be in place starting in 2012.

Mr. Obama and his allies have a steep hill to climb. The recession-scarred public rates global warming low on its list of priorities. Lobbyists for business interests are lined up to weaken or kill any carbon regulation effort. The president's own party is divided over costs, and many Republicans hate the whole idea.

"Let's just be honest and call it a carbon tax that will increase taxes on all Americans who drive a car, who have a job, who turn on a light switch, pure and simple," said John A. Boehner of Ohio, the House Republican leader. "And if you look at this whole budget plan, they use this carbon tax as a way to fund all of their big government ideas."

One utility executive, Thomas Williams of Duke Energy, predicted that electricity rates would jump as much as 40 percent in states that are reliant on coal for much of their power, like Indiana and Kentucky.

"It's a coal state stickup," he said. He based his figures on a first-year price of $20 per ton of carbon dioxide emissions, a higher price than used by others who have studied the Obama proposal.

Some economists support Mr. Obama's approach to curbing emissions because they say the other main alternative, a tax on polluting fuels, is politically unpopular.

But others warn that a cap-and-trade bill could produce great volatility in permit prices and drive up energy costs.

"It's much easier for me to think of scenarios where cap-and-trade goes crazy, prices fluctuate like mad, and people get turned off," said Martin Weitzman, a Harvard economist. "That could end up discrediting the system for a decade or a generation."

Supporters of the plan acknowledge that there will be price increases and an uneven distribution of costs. But the White House allocates tens of billions of dollars in tax relief and promises to return any excess revenues directly to the public. Over time, officials contend, new technologies, like hybrid-electric cars and more efficient power plants, will lower energy costs and greenhouse gas emissions at the same time.

"We're in a different world," said Nathaniel Keohane, director of economic policy at the Environmental Defense Fund, a supporter of strong and immediate action on climate change. "The president understands, and the world is coming to understand, that the costs of doing nothing are high to catastrophic."

Dr. Keohane said numerous independent studies, as well as the United Nations Intergovernmental Panel on Climate Control, estimate the cost of a carbon-reduction program like that advocated by the president would be around 1 percent of gross domestic product per year by 2030, which he considers a reasonable trade-off. Industry-financed studies, not surprisingly, found a higher cost.

Veronique Bugnion, managing director for research at Point Carbon, a consulting firm on emissions trading, said the Obama plan would lead to gasoline price increases of about 6 percent, or 12 cents a gallon at current American prices, starting in 2012 and rising gradually until 2020. Average utility rates would rise about 7 percent nationwide, she predicted, although with significant regional variations.

Mr. Obama's plan dedicates $15 billion a year of revenue from the sale of emissions permits to develop new sources of clean energy. But that leaves a large pool of potential government income — by some estimates, as much as $200 billion a year by 2020. How that money would be spent is expected to lead to a huge battle in Congress.

Paul Bledsoe, a spokesman at the National Commission on Energy Policy, a bipartisan research organization, said policy makers should not forget that the purpose of a cap-and-trade plan is to reduce carbon emissions and global warming, not to finance pet projects or balance the federal budget.

"A cap-and-trade system is absolutely essential to spur private sector innovation, but must be combined with clean energy technology funding to meet the president's ambitious emissions goals," he said. "This funding should be a top priority when dealing with revenue generated by the program."

Andrew C. Revkin and Jad Mouawad contributed reporting.

01268-EPA-50

Allyn Brooks-LaSure/DC/USEPA/US	To	Bob Sussman, Richard Windsor, David McIntosh, Lisa Heinzerling
	cc	
03/03/2009 02:08 PM	bcc	
	Subject	Re: Holdren/Lubchenco Confirmation Delays

Feisty New Jerseyans.
Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 03/03/2009 02:04 PM EST
To: Richard Windsor; David McIntosh; Allyn Brooks-LaSure; Lisa Heinzerling
Subject: Holdren/Lubchenco Confirmation Delays

NOMINATIONS: N.J. senator stalls confirmations of 2 top science posts (03/03/2009)

The nominations of two of President Barack Obama's top science advisers have stalled in the Senate, which could pose a challenge to the administration as it seeks to frame new policies on climate change and other environmental issues, according to several sources.

Sen. Robert Menendez (D-N.J.) has placed a "hold" that blocks the confirmation votes of Harvard University physicist John Holdren, who is slated to lead the White House Office of Science and Technology Policy, and Oregon State University marine biologist Jane Lubchenco, the nominee to lead the National Oceanic and Atmospheric Administration.

According to sources who asked not to be named because they are not authorized to discuss the matter, Menendez is using the holds as leverage to get Senate leaders' attention for a matter related to Cuba rather than a question of the nominees' credentials.

But the delay has alarmed environmentalists and scientific experts who strongly back Holdren and Lubchenco.

"Climate change damages our oceans more every day we fail to act," said Michael Hirshfield, chief scientist for the advocacy group Oceana. "We need these two supremely qualified individuals on the job yesterday."

Holdren and Lubchenco had a relatively friendly hearing before the Senate Commerce, Science and Transportation Committee last month. An administration official said yesterday he anticipated the nominations would make it to a floor vote, which could resolve the issue (Juliet Eilperin, *Washington Post* , March 3). **-- KJH**

Robert M. Sussman

Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

01268-EPA-51

David Cohen/DC/USEPA/US
03/05/2009 12:49 PM

To Richard Windsor
cc
bcc
Subject Re: Enviro Feedback per INSIDE EPA

[redacted] (b) (5) Deliberative

Richard Windsor Yea I saw it. [redacted] (b) (5) Deliberative 03/05/2009 11:50:16 AM

From: Richard Windsor/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, David Cohen/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA
Date: 03/05/2009 11:50 AM
Subject: Re: Enviro Feedback per INSIDE EPA

Yea I saw it. [redacted] (b) (5) Deliberative

Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 03/05/2009 11:37 AM EST
To: Richard Windsor; Allyn Brooks-LaSure; David Cohen; Craig Hooks; Lisa Heinzerling; David McIntosh; Scott Fulton
Subject: Enviro Feedback per INSIDE EPA

Obama Delaying 'Hard Choices' On Many Of Environmentalists' Priorities

President Obama is unlikely to swiftly make "hard choices" on key energy and environmental issues favored by environmentalists, despite many groups strongly pushing the new administration to show early and strong support for their priorities.

In recent weeks, activists have pushed the new administration to embrace their positions on a wide range of topics, including reforming toxics law, aggressive climate change controls, bills to clarify the scope of the Clean Water Act, abolishing cost-benefit analysis and opposing Canadian tar sands oil development. But the administration is in a "hard core examination mode" and "moving pretty cautiously," one environmentalist says.

An industry source says "we've learned a lot" from the first five weeks of the new

administration -- including signals that the Obama EPA will reverse the Bush administration's opposition to climate change regulations -- but that the "hard decisions" regarding which environmental efforts to prioritize are yet to come.

Environmentalists and industry sources agree that while the Obama administration appears to be saying "all the right things" to activist groups on some of their top priorities, the extent of Obama's willingness to swiftly develop policies on those issues remains to be seen. Complicating matters is the state of the economy, as well as a number of other non-environmental administration priorities, primarily health care reform.

An EPA spokesman says the "remarkable" amount the agency has done in only a few weeks with a "skeletal political staff" is a testament to EPA Administrator Lisa Jackson's "sense of urgency." The spokesman also says transparency, science and the rule of law will guide Jackson's decisions and that it's important not to "prejudge" decisions to ensure a fair and impartial process. The spokesman adds that environmentalists have praised recent actions by the agency.

And other activists point to recent developments as evidence of the new administration's clear direction on environmental issues, including the stimulus law that provides more than $7 billion for EPA programs and even more for renewable energy projects, and the agency's recent announcements that it will review Bush administration decisions on national air standards, and a policy blocking carbon dioxide (CO2) limits in air permits.

Still, on a wide-ranging set of issues, environmentalists have pressed the Obama administration for further action, but to date have had little feedback from the administration on a number of key issues. Efforts include trying to win EPA support for a bill to clarify the scope of the Clean Water Act.

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Environmentalists are also urging Jackson to embrace pending legislation from Sen. Frank Lautenberg (D-NJ) to reform the Toxic Substances Control Act. Jackson stopped short of endorsing the legislation during her Jan. 14 confirmation hearing. In written questions, Lautenberg asked if Jackson supports requiring chemicals to be tested for safety before coming to market -- a key component of his bill. Jackson said she would work with Congress, EPA and the White House "to determine the best approach."

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Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

01268-EPA-52

David Cohen/DC/USEPA/US
03/05/2009 01:53 PM

To Richard Windsor
cc
bcc
Subject Re: Enviro Feedback per INSIDE EPA

(b) (5) Deliberative

Richard Windsor (b) (5) Deliberative 03/05/2009 01:45:26 PM

From: Richard Windsor/DC/USEPA/US
To: David Cohen/DC/USEPA/US@EPA
Date: 03/05/2009 01:45 PM
Subject: Re: Enviro Feedback per INSIDE EPA

(b) (5) Deliberative

David Cohen

----- Original Message -----
From: David Cohen
Sent: 03/05/2009 01:39 PM EST
To: Richard Windsor
Subject: Re: Enviro Feedback per INSIDE EPA

(b) (5) Deliberative

Richard Windsor I hope you know how much I enjoy yo... 03/05/2009 01:34:18 PM

From: Richard Windsor/DC/USEPA/US
To: David Cohen/DC/USEPA/US@EPA
Date: 03/05/2009 01:34 PM
Subject: Re: Enviro Feedback per INSIDE EPA

I hope you know how much I enjoy your notes. Thx for all

David Cohen

----- Original Message -----
From: David Cohen
Sent: 03/05/2009 12:49 PM EST
To: Richard Windsor
Subject: Re: Enviro Feedback per INSIDE EPA

(b) (5) Deliberative

[redacted] (b) (5) Deliberative [redacted]

[redacted]

Richard Windsor Yea I saw it [redacted] (b) (5) Deliberative 03/05/2009 11:50:16 AM

From: Richard Windsor/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, David Cohen/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA
Date: 03/05/2009 11:50 AM
Subject: Re: Enviro Feedback per INSIDE EPA

Yea I saw it [redacted] (b) (5) Deliberative [redacted]

Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 03/05/2009 11:37 AM EST
To: Richard Windsor; Allyn Brooks-LaSure; David Cohen; Craig Hooks; Lisa Heinzerling; David McIntosh; Scott Fulton
Subject: Enviro Feedback per INSIDE EPA

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Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

01268-EPA-54

Allyn Brooks-LaSure/DC/USEPA/US

03/05/2009 02:13 PM

To Richard Windsor
cc
bcc
Subject Re: Fw: Enviro Feedback per INSIDE EPA

Ok.

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

Richard Windsor [redacted] 03/05/2009 01:35:01 PM

From: Richard Windsor/DC/USEPA/US
To: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Date: 03/05/2009 01:35 PM
Subject: Fw: Enviro Feedback per INSIDE EPA

[redacted]
David Cohen

----- Original Message -----
From: David Cohen
Sent: 03/05/2009 12:49 PM EST
To: Richard Windsor
Subject: Re: Enviro Feedback per INSIDE EPA

[redacted]

Richard Windsor Yea I saw it. [redacted] 03/05/2009 11:50:16 AM

From: Richard Windsor/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, David Cohen/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA
Date: 03/05/2009 11:50 AM
Subject: Re: Enviro Feedback per INSIDE EPA

Yea I saw it. [redacted]

Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 03/05/2009 11:37 AM EST
To: Richard Windsor; Allyn Brooks-LaSure; David Cohen; Craig Hooks; Lisa Heinzerling; David McIntosh; Scott Fulton
Subject: Enviro Feedback per INSIDE EPA

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Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

01268-EPA-57

Allyn Brooks-LaSure/DC/USEPA/US

03/05/2009 06:40 PM

To Richard Windsor, David Cohen, "Lisa Heinzerling"
cc
bcc
Subject Re: update

Noted.
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 03/05/2009 06:17 PM EST
To: David Cohen; Allyn Brooks-LaSure; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>
Subject: Re: update

(b) (5) Deliberative

David Cohen

----- Original Message -----
From: David Cohen
Sent: 03/05/2009 05:24 PM EST
To: Allyn Brooks-LaSure
Cc: Adora Andy
Subject: update

allyn,

just came from this meeting (b) (5) Deliberative

(b) (5) Deliberative

01268-EPA-62

Allyn Brooks-LaSure/DC/USEPA/US

03/10/2009 08:10 AM

To Richard Windsor, David Cohen, "Allyn Brooks-Lasure"
cc "Eric Wachter", "Robert Goulding"
bcc
Subject Re: fyi

(b) (5) Deliberative

[redacted]

MABL.
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 03/10/2009 06:18 AM EDT
To: David Cohen; "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Cc: "Eric Wachter" <wachter.eric@epa.gov>; "Robert Goulding" <goulding.robert@epa.gov>
Subject: Re: fyi

(b) (5) Deliberative

[redacted]

[redacted] (b) (5) Deliberative

David Cohen

----- Original Message -----
From: David Cohen
Sent: 03/10/2009 03:16 AM EDT
To: Richard Windsor
Subject: fyi

good "green" diversity piece in times today. website version includes photo of you.

March 10, 2009

In Environmental Push, Looking to Add Diversity

By MIREYA NAVARRO

When Jerome C. Ringo joined the board of the National Wildlife Federation in 1995, he was the only African-American at the meetings.

Mr. Ringo, now president of the Apollo Alliance, a coalition of environmental, labor and business groups, says that even today, he is often the only environmentalist in the room who is not white.

“We’re not where we were, but we’re not where we want to be,” Mr. Ringo said of the environmental movement’s efforts to diversify.

National environmental organizations have traditionally drawn their membership from the white and affluent, and have faced criticism for focusing more on protecting resources than protecting people.

But with a black president committed to environmental issues in the White House and a need to achieve broader public support for initiatives like federal legislation to address global warming, many environmentalists say they feel pressure to diversify the movement further, both in membership and at higher levels of leadership.

“Our groups are not as diverse as we’d like, but every one of the major groups has diversity as a top priority,” said Frances Beinecke, president of the Natural Resources Defense Council. “There’s great commitment to making the environmental movement representative of what the country is.”

The effort to broaden support comes as the groups find themselves competing with industries that oppose environmental measures, sometimes claiming that they will result in higher energy bills or the loss of jobs.

“The organization has to be able to credibly build trust with communities of color who are going to be targeted by the opponents of change,” said Sanjay Ranchod, a member of the Sierra Club board who is leading efforts to attract more minorities.

The need for racial diversity has been a persistent issue in the environmental movement: In 1990, leaders of civil rights and minority groups wrote an open letter that accused the 10 biggest environmental organizations of “racist” hiring practices.

Richard Moore, one of the letter’s signers, said the public indictment was set off by several cases in which the groups had pushed for protection of lands at the expense of minority rural communities.

Over the years, organizations like the Natural Resources Defense Council have formed partnerships with smaller environmental groups that emerged in the 1980s and ’90s to represent the interests of low-income and minority constituencies.

But more substantial change, Mr. Moore said, has been slow to come.

“If you’re going to be impacted by an issue, you bring the impacted people to the table,” said Mr. Moore, who is now executive director of the Southwest Network for Environmental and Economic Justice, a coalition of 60 groups.

Cara Pike, the author of a 2007 study commissioned by the environmental law group Earthjustice, said the research found that the “greenest Americans,” many of them members of environmental groups, were overwhelmingly white, over 45 and college-educated. “The focus of green groups has been to target the greenest Americans,” Ms. Pike said, “and as a result, we’ve left other people out of the equation.”

National polls show high environmental concern among minorities. A post-election poll for the National Wildlife Federation in November, for example, found increasing support among blacks and Latinos for candidates keen on addressing global warming. And surveys by the Public Policy Institute of California have found that minorities are sometimes even more concerned than white respondents about environmental issues like air pollution.

But until recently, social concerns did not appear to be “on the radar” of many large environmental organizations, said Julian Agyeman, chairman of the department of urban and environmental policy and planning at Tufts University and author of the 2005 book “Sustainable Communities and the Challenge of Environmental Justice.”

Even organizations like the Sierra Club, which has incorporated social justice work since the 1990s, concede that their diversity efforts have failed to gain traction. The organization’s executive director, Carl Pope, points at “cultural barriers” that in effect shut the door to nonwhites regardless of good intentions.

“If you go to a Sierra Club meeting, the people are mostly white, largely over 40, almost all

college-educated, whose style is to argue with each other," Mr. Pope said. "That may not be a welcoming environment."

Those who join such groups sometimes do not stay long. Marcelo Bonta, 35, who worked for four environmental groups before becoming a diversity consultant in Portland, Ore., five years ago, said he found "a need to conform," down to the way to dress.

"It's the tyranny of fleece," Mr. Bonta said. "I always felt I had to dress down."

Some larger environmental groups are taking steps to make up for the past.

Roger Rivera, president of the National Hispanic Environmental Council, an advocacy group in Washington that promotes environmental careers among Latino students, said that for more than a year he had been attending meetings of the Green Group, a loose association of about three dozen environmental organizations, as "an observer."

Mr. Rivera, who served on President Obama's transition team for the Interior Department, said the Green Group formally invited his organization to join in January — soon after the election of the first black president, he pointed out.

Larry Schweiger, who is chairman of the association and president of the National Wildlife Federation, said the invitation to groups like Mr. Rivera's was "part of an overall effort to get more engagement in the climate issue."

Lisa P. Jackson, whom Mr. Obama appointed as administrator of the Environmental Protection Agency, emphasized inclusion at a recent conference of environmental justice groups in New York City. Ms. Jackson told the audience that she hoped to bring more diversity to the agency — its staff of about 1,700 is 69 percent non-Hispanic white — "so we look like the people we serve."

(In addition to Ms. Jackson, who is black, Mr. Obama's environment team includes an Asian, Steven Chu, as energy secretary; a Latino, Ken Salazar, as interior secretary; and Carol M. Browner, who is white, as the coordinator of energy and climate policy.)

Van Jones, whose national organization, Green for All, was also invited to join the Green Group, said that while environmental justice groups were focused on "equal protection from bad stuff," groups like his wanted "equal access to good stuff" and to use green jobs to lift urban youths and others out of poverty.

"The more the green movement transforms into a movement for economic opportunity," Mr. Jones said, "the more it will look like America."

01268-EPA-64

David Cohen/DC/USEPA/US
03/11/2009 06:58 AM

To Richard Windsor
cc
bcc
Subject times and post

post story. web version has pic of you. times story below this one. i think

[redacted] (b) (5) Deliberative

EPA Plans U.S. Registry of Greenhouse Gas Emissions

By Juliet Eilperin
Washington Post Staff Writer
Wednesday, March 11, 2009; A02

The Environmental Protection Agency plans to establish a nationwide system for reporting greenhouse gas emissions, a program that could serve as the basis for a federal cap on the buildup of carbon dioxide and other gases linked to global warming.

The registry plan, which was announced yesterday, would cover about 13,000 facilities that account for 85 to 90 percent of the nation's greenhouse gas output. It was drafted under the Bush administration but stalled after the Office of Management and Budget objected to it because the EPA based the rule on its powers under the Clean Air Act.

"Our efforts to confront climate change must be guided by the best possible information," said EPA Administrator Lisa P. Jackson in a statement. "Through this new reporting, we will have comprehensive and accurate data about the production of greenhouse gases. This is a critical step toward helping us better protect our health and environment -- all without placing an onerous burden on our nation's small businesses."

Sens. Dianne Feinstein and Barbara Boxer, both California Democrats, had inserted language in a 2007 spending bill instructing EPA to develop a national greenhouse gas reporting system.

If adopted by the end of the year, the rule could produce greenhouse gas statistics by the end of 2010. The EPA requirements would apply to large industrial sources that emit 25,000 metric tons or more a year, including oil and chemical refineries; cement, glass, pulp and paper plants; manufacturers of motor vehicles and engines; and confined animal-feeding operations. The 25,000-metric-ton threshold is about equal to the annual emissions of a little more than 4,500 passenger cars.

Most small businesses would fall below the threshold and would not be required to report, EPA officials said.

In addition to carbon dioxide, emissions of methane and other greenhouse gases would have to be reported.

Officials from several of the industries that would be subject to the new reporting rules reacted relatively mutedly, but some questioned whether the proposal was too sweeping. Scott Segal, who represents coal-fired utilities, noted that although most electric power plants have been reporting their greenhouse gas emissions "for decades," smaller emitters may now find themselves subject to the registry.

"If the rule is the first step in the direction of actual regulation, the inclusion of schools, hospitals and small businesses sets a dangerous precedent for an overbroad approach," Segal said.

Environmental groups and Democrats welcomed the plan, saying it would help guide implementation of any mandatory, national limit on greenhouse gases. Sen. Amy Klobuchar (D-Minn.), who has co-sponsored separate legislation with Sen. Olympia J. Snowe (R-Maine) calling for a national greenhouse gas registry, called the proposal "a crucial building block to the policy changes we need to make."

times:

March 11, 2009

E.P.A. Proposes Tracking Industry Emissions

By KATE GALBRAITH

The Environmental Protection Agency proposed a rule on Tuesday that would require a broad range of industries to tally and report their greenhouse gas emissions.

The proposal, which could establish an accounting basis for federal regulation of heat-trapping gases, would require about 13,000 factories, power plants and other facilities to report their emissions of carbon dioxide, methane, nitrous oxide and other gases that climate scientists link to global warming.

Oil refineries, cement makers, utilities and pulp and paper manufacturers and the automotive sector are among the industries covered by the proposal. The E.P.A. says that the rule, promulgated under the Clean Air Act, would account for 85 percent to 90 percent of the country’s emissions of heat-trapping gases, although small manufacturers would be exempt.

“We do not expect to have a significant impact on small businesses,” said Dina Kruger, the director of the agency’s climate change division.

A 60-day comment period and two public hearings will soon take place. Ms. Kruger said the

agency hoped to make the rule final this fall. If that happens, reporting could begin in 2011, after the monitoring of 2010 emissions.

“This is the foundation of any serious program to cap and reduce global warming pollution,” said David Doniger, the policy director for the climate center at the Natural Resources Defense Council. “You have to have source-by-source data on how much of global warming pollution is emitted and from where.”

The E.P.A. estimated that the cost to industry would be $160 million in the first year, then fall to $127 million a year.

Bill Kovacs, the vice president for environment, technology and regulatory affairs for the United States Chamber of Commerce, noted that some manufacturers already volunteered the data.

Manufacturers would be required to report emissions from the vehicles they make. Charles Territo, a spokesman for the Alliance of Automobile Manufacturers, said that his organization was still reviewing the proposal, but that the reporting requirement was not new for the automobile industry.

“E.P.A. already knows the carbon dioxide emissions from automobiles,” Mr. Territo said, “because E.P.A. measures grams per mile of CO2 from automobiles.”

Experts said the proposal had been expected in September.

01268-EPA-67

David Cohen/DC/USEPA/US
03/13/2009 06:08 AM

To Richard Windsor, Lisa Heinzerling, David McIntosh
cc
bcc
Subject no "life cycle" story! but....

a politics/costs-of-climate-change story in the post's biz section worth noting, (b) (5) Deliberative [redacted] fyi, in case you've not seen yet:

Push to Reduce Greenhouse Gases Would Put a Price on Emitting Pollution

By Steven Mufson
Washington Post Staff Writer
Friday, March 13, 2009; D01

President Obama's endorsement of climate legislation to clamp down on greenhouse gases has set off a lobbying rush in Congress and made the air thick with rival proposals.

Coal companies, utilities, economists and environmentalists are vying to shape legislation that could rechannel hundreds of billions of dollars from one part of the economy to others. The sense of urgency has been heightened by House Energy and Commerce Committee Chairman Henry A. Waxman's push to have a bill ready by the end of May; the California Democrat plans to circulate a draft in about two weeks.

Because of regional differences in energy sources, the political lines are blurred, potentially uniting Democrats and Republicans from states heavily dependent on coal plants against other parts of the nation looking for alternatives.

Most lawmakers and climate activists embrace an approach to limiting greenhouse gas emissions known as cap-and-trade, which would set and gradually lower a limit on nationwide emissions while letting companies buy and sell rationing allowances. But some economists have lined up with big oil companies such as Exxon Mobil, which has endorsed a carbon tax instead. Seven House Democrats, including House Democratic Caucus Chairman John B. Larson (Conn.), introduced a carbon tax measure this week.

Either way, climate legislation will aim to reduce emissions by putting a price on carbon, raising the cost of everything from gasoline to plastics to electricity.

Opposing sides are striving to either frighten or woo voters with talk of whether climate legislation should be viewed as a big ill-timed tax or whether it will unlock new industries and technologies to make the economy more efficient and less dependent on foreign oil. On Tuesday, White House spokesman Robert Gibbs called it "a market-based solution that will drive us to energy independence and create . . . an even more robust market for alternative fuels." Earlier, House Minority Leader John A. Boehner (Ohio) said " 'cap-and-trade' is code for increasing

taxes, killing American jobs and raising energy costs for consumers."

Even companies are divided. The owners of nuclear power generators, which don't emit carbon dioxide, are at odds with utilities that rely on coal. And the emerging wind and solar industries are gaining a powerful voice as well.

"There's no end of the political fault lines and there's going to be a heavy burden for the White House," said Philip Sharp, president of Resources for the Future and a former House member.

The Obama administration's budget includes an outline of a relatively simple plan that, starting in 2011, would establish a cap on the quantity of emissions and auction off the right to emit pollutants. It would give the bulk of the money back to lower- and middle-income Americans through a means-tested tax credit. It would set aside a portion of auction revenue for aiding households and industries in regions hurt most by higher costs. It would also reserve a modest portion for research and development. The administration says it wants the program to be revenue-neutral.

At the center of the political battle in Congress are Democratic lawmakers like Sens. Sherrod Brown (Ohio), whose state relies on coal-fired plants for 86 percent of its electricity; Evan Bayh (Ind.), whose state gets 94 percent of its electricity from coal; and Byron L. Dorgan (N.D.), whose state both relies on and exports coal-fired electricity and also has large wind potential. Republican lawmakers in the thick of the battle include Maine's Sens. Susan Collins and Olympia J. Snowe.

"I believe there's something happening in respect to our climate, and we ought to address that," said Dorgan, who chairs the Senate Appropriations subcommittee on energy. "The Congress is intent on doing something, but how quickly and how much, I don't think is clear yet."

Plans vary widely. Senate Energy and Natural Resources Committee Chairman Jeff Bingaman (D-N.M.) favors a mechanism to put a ceiling on carbon prices to protect consumers.

Some cap-and-trade advocates believe the program should be designed as a "cap-and-dividend," giving every household a check for its share of the money raised through auctions. Supporters believe that would generate popular support for the legislation, much as Social Security checks generated support for Social Security taxes. Rep. Chris Van Hollen (D-Md.) is planning to introduce a version of the cap-and-dividend idea next week.

At the other end of the spectrum are companies and environmentalists who believe that any plan must initially give away allowances to utilities in coal-intensive areas so that consumers there are not hit by suddenly higher electricity bills. Over time, the free allowances could be phased out and replaced by auctions. The 25-member U.S. Climate Action Partnership, that includes major corporations and a handful of environmental groups, has its own plan that would give away 40 percent of allowances to local coal-intensive utilities that would then keep rates low. How fast those allowances would be phased out is something on which the group cannot agree.

"I think you have to have at least a transition period of many years, a decade or so," said Fred

Krupp, head of the Environmental Defense Fund and a key member of the group. "The question is: 'Is it fair?' Think about the customers in one of these coal-burning states. Their utility would be retooling to retrofit or generate low carbon energy in some other way. So what's fair is to have a transition period where carbon does go down, but there isn't a price shock in any region of the country."

That approach has the support of Sen. Joseph I. Lieberman (I-Conn.), co-sponsor of three earlier cap-and-trade bills that failed to win Senate approval. Lieberman plans to form a bipartisan group of senators with Sen. John McCain (R-Ariz.), who co-sponsored two of those earlier measures.

"I see myself as a coalition builder," Lieberman said. "I don't think you can have a 100 percent auction. For fairness and the political viability of a proposal, we have to give assistance to the industries most affected by the major change we're proposing."

Sources familiar with the administration's thinking say the White House would be prepared to agree to a transition period, but that it wants to avoid a repeat of what happened to a bill last year that became laden with add-ons. "At some point, you've given away too much," said a person familiar with administration thinking.

"We think a well-designed cap-and-trade program will not have an adverse short-term impact on energy prices," said a White House official who spoke on the condition of anonymity. "But if we're completely eliminating the price signal, then we're removing the incentives for investments in energy efficiency."

"The ideological lines are being drawn," Van Hollen said. "There are a lot of interests arrayed to try to defeat this or water it down. What we have to do is to make sure we keep the public's interest in mind and make sure that we don't have a bill at end of the day that is so riddled with loopholes that it doesn't accomplish the purpose."

01268-EPA-72

Daniel Gerasimowicz/DC/USEPA/US
03/16/2009 06:39 PM

To
cc
bcc
Subject Meeting with Christophe Tulou

Meeting

Date 03/23/2009
Time 04:00:00 PM to 05:00:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location The Administrator's Office

Ct: Christophe Tulou (b) (6) Privacy

Christophe's schedule is as follows:

10:15 - 11:15 AM - Meeting with Lisa Heinzerling, Senior Climate Policy Counsel

11:15 - 12:15 PM - Meeting with Bob Sussman, Senior Policy Advisor

3 PM - 3:30 PM - Meeting with Scott Fulton, Acting Deputy Administrator and Assistant Administrator for the Office of International Affairs

3:30 - 4 PM - Meeting with Marygrace Galston, EPA White House Liaison

01268-EPA-76

Scott Fulton/DC/USEPA/US
03/18/2009 11:40 PM

To windsor.richard
cc
bcc
Subject Fw: Call with Jonathon Pershing re kenote OECD dinner speaker

Hi - turns out the week you will be in the Netherlands is the same week of the high level development and environment meeting at the Organization for Economic Cooperation (OECD) to discuss, e.g., climate change adaptation. The OECD event is at the end of the week, whereas your Netherlands event is at the beginning of the week. (b) (5) Deliberative I'll check with you tomorrow on this.
Separate and more important question: is there such a thing as a turduckin (a New Orleans dish)? Was (b) (6) Privacy and they mentioned this. Not sure if they were pulling my leg.
Cheers, Scott
------Original Message------
From: Walker Smith
To: Scott Fulton
Sent: Mar 18, 2009 6:47 PM
Subject: Call with Jonathon Pershing re kenote OECD dinner speaker

Martin has a call scheduled with Jonathon Pershing on Friday at 1 pm Let me know if LJ is interested.
Thanks!

Walker B. Smith, Director
Office of Global Affairs and Policy
Office of International Affairs
U.S. Environmental Protection Agency
202.564.6455

01268-EPA-77

Allyn Brooks-LaSure/DC/USEPA/US

03/20/2009 09:23 AM

To Richard Windsor
cc Eric Wachter
bcc
Subject For your interview today.

These are areas the reporter may likely cover:

1. (b) (5) Deliberative

[redacted]

(b) (5) Deliberative

[redacted]

[redacted]

[redacted]

[redacted]

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

01268-EPA-78

Allyn Brooks-LaSure/DC/USEPA/US

03/20/2009 03:02 PM

To Richard Windsor
cc David Cohen
bcc
Subject WSJ response.

Below is a response Dave wrote that strikes back at the WSJ. I like it. Take a look.

MABL.

(b) (5) Deliberative

[redacted]

(b) (5) Deliberative

[redacted]

01268-EPA-80

Allyn Brooks-LaSure/DC/USEPA/US

03/23/2009 01:44 PM

To Richard Windsor
cc Bob Sussman, David McIntosh, Lisa Heinzerling
bcc
Subject Re: Fw: Google Alert - lisa jackson epa

(b) (5) Deliberative

[redacted]

[redacted]

MABL.

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

Richard Windsor (b) (5) Deliberative 03/23/2009 01:38:02 PM

From: Richard Windsor/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA
Date: 03/23/2009 01:38 PM
Subject: Fw: Google Alert - lisa jackson epa

(b) (5) Deliberative

[redacted]

----- Forwarded by Richard Windsor/DC/USEPA/US on 03/23/2009 01:36 PM -----

From: Google Alerts <googlealerts-noreply@google.com>
To: Richard Windsor/DC/USEPA/US@EPA
Date: 03/23/2009 01:20 PM
Subject: Google Alert - lisa jackson epa

Google News Alert for: **lisa jackson epa**

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Washington Post - United States
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EPA´s New Moves: GHG Reporting Rulemaking And Possible Regulation

Mondaq News Alerts (registration) - London,UK
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01268-EPA-81

Allyn Brooks-LaSure/DC/USEPA/US

03/23/2009 01:52 PM

To David McIntosh
cc Bob Sussman, Lisa Heinzerling, Richard Windsor
bcc
Subject Re: Fw: Google Alert - lisa jackson epa

Good catch. (b) (5) Deliberative

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

David McIntosh (b) (5) Deliberative 03/23/2009 01:46:10 PM

From: David McIntosh/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA
Date: 03/23/2009 01:46 PM
Subject: Re: Fw: Google Alert - lisa jackson epa

(b) (5) Deliberative

(b) (5) Deliberative

Richard Windsor (b) (5) Deliberative 03/23/2009 01:37:59 PM

From: Richard Windsor/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA
Date: 03/23/2009 01:37 PM
Subject: Fw: Google Alert - lisa jackson epa

(b) (5) Deliberative

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Date: 03/23/2009 01:20 PM
Subject: Google Alert - lisa jackson epa

Google News Alert for: **lisa jackson epa**

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01268-EPA-82

David Cohen/DC/USEPA/US
03/23/2009 09:56 PM

To Richard Windsor
cc
bcc
Subject check it out

[redacted] (b) (5) Deliberative [redacted]

[redacted]

[redacted]

EPA Presses Obama To Regulate Warming Under Clean Air Act

By Juliet Eilperin
Washington Post Staff Writer
Tuesday, March 24, 2009; A01

The Environmental Protection Agency's new leadership, in a step toward confronting global warming, submitted a finding that will force the White House to decide whether to limit greenhouse gas emissions under the nearly 40-year-old Clean Air Act.

Under that law, EPA's conclusion -- that such emissions are pollutants that endanger the public's health and welfare -- could trigger a broad regulatory process affecting much of the U.S. economy as well as the nation's future environmental trajectory. The agency's finding, which was sent to the White House Office of Management and Budget without fanfare on Friday, also reversed one of the Bush administration's landmark decisions on climate change, and it indicated anew that President Obama's appointees will push to address the issue of warming despite the potential political costs.

In 2007, the Supreme Court instructed the Bush administration to determine whether greenhouse gases should be regulated under the Clean Air Act, but last July, then-EPA Administrator Stephen L. Johnson announced that the agency would instead seek months of public comment on the threat posed by global-warming pollution.

Interest groups and experts across the ideological spectrum described the EPA's proposal yesterday as groundbreaking. But while environmentalists called it overdue and essential to curbing dangerous climate change, business representatives warned that it could hobble the nation's economic recovery.

"This is historic news," said Frank O'Donnell, who heads the environmental watchdog group Clean Air Watch. "It will set the stage for the first-ever national limits on global-warming pollution. And it is likely to help light a fire under Congress to get moving."

But William L. Kovacs, vice president of environment, technology and regulatory affairs at the U.S. Chamber of Commerce, said an effort to regulate greenhouse gases based on the EPA's scientific finding "will be devastating to the economy."

"By moving forward with the endangerment finding on greenhouse gases, EPA is putting in motion a set of decisions that may have far-reaching unintended consequences," he said. "Specifically, once the finding is made, no matter how limited, some environmental groups will sue to make sure it is applied to all aspects of the Clean Air Act."

The White House emphasized that the administration is simply fulfilling its legal obligations and will still press for a legislative solution to the question of curbing carbon dioxide and other greenhouse gases.

"The president has made clear that to combat climate change, his strong preference is for Congress to pass energy security legislation that includes a cap on greenhouse gas emissions," said White House spokesman Ben LaBolt. "The Supreme Court ruled that the EPA must review whether greenhouse gas emissions pose a threat to public health or welfare, and this is simply the next step in what will be a long process that engages stakeholders and the public."

OMB spokesman Kenneth Baer did not give a specific timeline for when the White House will decide on how to proceed.

Johnson's action came in rejection of his scientific and technical staff's recommendation. In December 2007, the EPA staff wrote the White House to urge that the agency be allowed to make the finding that global warming threatens human health and welfare, but senior White House officials rejected that proposal on the grounds that the Clean Air Act was not the best way to deal with climate-change issues.

Since then, however, federal officials have provided additional rationales for such a finding. Last month, Howard Frumkin, who directs the Centers for Disease Control and Prevention's National Center for Environmental Health, testified before a Senate committee that the CDC "considers climate change a serious public health concern" that could accelerate illnesses and deaths stemming from heat waves, air pollution, and food- and water-borne illnesses.

But even those who support cutting greenhouse gases warn that doing so under the Clean Air Act could be complicated. "This would be a regulatory maze far exceeding anything we've seen before," said David Schoenbrod, a professor of environmental law at the New York Law School.

While the EPA's finding is not final, experts steeped in the Clean Air Act began debating yesterday what it would mean for utilities, vehicles, manufacturing plants and consumers. Kovacs predicted it could halt many of the projects funded under the just-passed economic

recovery package. "This will mean that all infrastructure projects, including those under the president's stimulus initiative, will be subject to environmental review for greenhouse gases," he said.

EPA spokeswoman Adora Andy said in a statement that if the administration goes ahead with the proposal, it will be subject to public hearings and comment before becoming final, adding that it "does not propose any requirements on any sources of greenhouse-gas emissions" and "does not impose any new regulatory burdens on any projects, let alone those funded" under the American Recovery and Reinvestment Act.

Daniel J. Weiss, a senior fellow at the Center for American Progress, a liberal think tank, said the EPA's proposal would allow the administration to tackle climate change if Congress does not limit carbon emissions through legislation. He added that even if the EPA were forced to regulate greenhouse gases, it would target emissions from coal-fired power plants and then vehicles -- which combined account for about half of the nation's global-warming pollution -- before requiring smaller operations to apply for new emissions permits.

"The way I see it, it's, in case of legislative gridlock, break open the Clean Air Act," Weiss said. "It's a backup option, not ideal, but it's a way to make progress on emissions reductions."

01268-EPA-83

David Cohen/DC/USEPA/US
03/25/2009 06:24 AM

To Richard Windsor
cc
bcc
Subject post & times

(b) (5) Deliberative, (b) (6) Personal Privacy

EPA to Scrutinize Permits for Mountaintop-Removal Mining

By Juliet Eilperin
Washington Post Staff Writer
Wednesday, March 25, 2009; A13

The Environmental Protection Agency put hundreds of mountaintop mining operations on notice that they would be the focus of closer scrutiny yesterday, saying it needs to review their impact on local streams and wetlands before they can move forward.

The announcement, which outraged mining interests and cheered environmentalists, challenged a Bush administration policy and blocked the effect of a federal court decision that had made it easier for mine operators to dispose of the rubble and sludge created when companies blow off the tops of mountains to get to the coal buried underneath.

Late last night, the EPA issued an unusual statement saying that the agency "is not halting, holding or placing a moratorium on any of the mining permit applications." But the statement indicated that the EPA would "take a close look" at applications that had been the focus of recent litigation.

EPA Administrator Lisa P. Jackson also sent letters to the Army Corps of Engineers objecting to proposed operations in West Virginia and Kentucky, saying the two projects pose a serious threat to "aquatic resources of national importance" and should be halted.

"The two letters reflect EPA's considerable concern regarding the environmental impact these projects would have on fragile habitats and streams," Jackson said in a statement. "I have directed the agency to review other mining permit requests. EPA will use the best science and follow the letter of the law in ensuring we are protecting our environment."

Companies had been hoping to get Corps of Engineers permits for dozens of new and ongoing mountaintop mining operations after a three-judge appeals panel in Richmond ruled last month that the Corps did not have to conduct extensive reviews before issuing the permits. Just before leaving office, the Bush administration finalized rules that eased a 25-year-old prohibition on dumping mine waste within 100 feet of any intermittent or permanent stream, allowing such

dumping if it was unavoidable and as long as harm was minimized "to the extent practicable" and was compensated for somewhere else.

Corps spokesman Doug Garman said the agency "will be working with EPA to address any concerns they have related to mountaintop mining permits."

National Mining Association spokeswoman Carol Raulston said some mining companies had been waiting "months, years in some cases" to move ahead and now face the prospect of further delay.

"These are lawful permits," Raulston said. "They meet the requirements of the law and have been affirmed by the courts."

Mining companies and environmental groups have fought over how to interpret the Clean Water Act, which prohibits dumping of mining waste that damages water quality. Courts have issued conflicting opinions, and federal officials estimate that since the mid-1980s 1,600 miles of streams in Appalachia have been wiped out by such "valley fills."

Chuck Nelson, who worked as a coal miner in West Virginia for three decades and is now a community organizer for the Ohio Valley Environmental Coalition, said the EPA's decision came "just in time." Mountaintop mining requires fewer workers than traditional mining, he said, and its environmental degradation leaves communities with few economic options.

"We're losing our way of life and our culture," Nelson said. "We're paying the price for mountaintop removal. It's big profits for the industry."

But William B. Raney, president of the West Virginia Coal Association, questioned why the new administration would potentially put hundreds of jobs on hold when other land-clearing activities in Appalachia also affect the environment.

"It's absolutely puzzling to me why you would want to dismantle a state's economy," Raney said. "Does this mean in the steep terrain of eastern America, we're not going to have roads, we're not going to have economic development, we're not going to have Wal-Marts?"

The EPA's action was the latest step reviewing environmental decisions made under President George W. Bush. On Monday, the Fish and Wildlife Service filed a document in U.S. District Court saying it will reconsider a 2006 decision not to protect the Gunnison sage grouse under the Endangered Species Act. Conservationists have sought to win federal protection for it, and the Interior Department's inspector general concluded in December that Bush's appointees ignored federal biologists' advice in not adding the bird and other species to the protected list.

March 25, 2009

E.P.A. Plans Closer Review of Mountaintop

Mining Permits

By MIREYA NAVARRO

In a sharp reversal of Bush administration policies, the head of the Environmental Protection Agency said Tuesday that the agency planned an aggressive review of permit requests for mountaintop coal mining, citing serious concerns about potential harm to water quality.

The administrator, Lisa P. Jackson, said her agency had sent two letters to the Army Corps of Engineers on Monday in which it expressed concern about two proposed mining operations in West Virginia and Kentucky involving mountaintop removal, a form of strip mining that blasts the tops off mountains and dumps leftover rock in valleys, burying streams.

The letters recommended that the corps deny the West Virginia permit application and that the Kentucky application be revised to ensure the protection of streams.

“The two letters reflect E.P.A.’s considerable concern regarding the environmental impact these projects would have on fragile habitats and streams,” Ms. Jackson said in a statement. “I have directed the agency to review other mining permit requests. E.P.A. will use the best science and follow the letter of the law in ensuring we are protecting the environment.”

Officials of the National Mining Association, an industry group, said the action amounted to a moratorium on the 200 pending mining permits throughout Appalachia — a view the agency categorically denied — and jeopardized thousands of mining jobs. The group says that mountaintop mining in the region produces about 10 percent of all coal mined in the United States.

“E.P.A.’s announcement is especially troublesome from an administration that with one hand proposes enormous fiscal stimulus to put Americans back to work and with the other hand takes their jobs away,” Hal Quinn, president and chief executive of the group, said in a statement.

But Jennifer Chavez, a lawyer with EarthJustice, a law firm that has sued to stop mountaintop mining, said the E.P.A. was only reversing a practice of issuing permits “like hotcakes” under the Bush administration.

“We see this as a very good sign,” Ms. Chavez said, adding that the action indicated that the agency planned to “take a serious look” at issues her firm had sought to draw attention to for some time.

Environmentalists suffered a setback last month when a federal appeals court panel in Richmond, Va., overturned a 2007 district court decision that the corps had improperly issued permits for mountaintop removal. That decision created a backlog of permits awaiting review.

01268-EPA-84

Richard Windsor/DC/USEPA/US
03/27/2009 05:27 AM

To David Cohen
cc
bcc
Subject Re: editorial: today's post

Hmm. [redacted] (b) (5) Deliberative [redacted] ? Weird. Tx.
David Cohen

----- Original Message -----
From: David Cohen
Sent: 03/27/2009 04:29 AM EDT
To: Richard Windsor
Subject: editorial: today's post

The First Green Step

Fighting global warming starts with a greenhouse gas registry.

Friday, March 27, 2009; A16

THE LACK of concrete data on which facilities were emitting greenhouse gases and how much they were spewing into the atmosphere led to a major flaw in the European Union's cap-and-trade system: the over-allocation of pollution permits to industry. This mistake led to the collapse of the carbon market. Thanks to action taken by the Environmental Protection Agency this month, the United States will not make the same mistake.

EPA Administrator Lisa P. Jackson issued a proposal to establish a greenhouse gas registry. This is the first step in a process that will lead to the development, discussion and implementation of a program that will tabulate the amount of carbon dioxide, methane and other gases from about 13,000 large industrial facilities that emit more than 25,000 metric tons or more a year each. The EPA estimates this would cover 85 to 90 percent of all greenhouse gas emissions in the United States. The plan, required by Congress but ignored by President George W. Bush, must be in place by June 26.

Collecting this data would also be the first step in devising a cap-and-trade system that President Obama wants to use to reduce greenhouse gas emissions by about 83 percent below 2005 levels by 2050. He wants to auction 100 percent of the pollution permits to generate $650 billion over the next 10 years. But there's one small wrinkle in this. The first report from the EPA would be submitted in 2011 for emissions in 2010. Mr. Obama's budget plan submitted to Congress anticipates the cap-and-trade system being in place by 2012. In short, there's a question as to whether there will be enough data on which to base the carbon caps.

The administration should consider ramping up voluntary greenhouse gas inventory plans already underway such as the Climate Leaders program at the EPA and the Energy Department's Voluntary Reporting of Greenhouse Gases Program. This would bolster the effort to get as much solid information as possible. And it would help to ensure that the United States avoided making Europe's mistakes.

01268-EPA-85

Allyn Brooks-LaSure/DC/USEPA/US	To	Richard Windsor, Craig Hooks, Scott Fulton
	cc	"Allyn Brooks-Lasure"
03/27/2009 01:02 PM	bcc	
	Subject	Re: Tomorrow from 8:30 pm to 9:30 pm local time is Earth Hour

By the way - our website will be "dark" for earth hour. Meaning, folks will visit EPA.gov and see a black splash page, with a link to the fully-functioning site.

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 03/27/2009 01:00 PM EDT
To: Craig Hooks; Scott Fulton
Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: Tomorrow from 8:30 pm to 9:30 pm local time is Earth Hour

Folks are turning off their lights to heirghten awareness of energy use and climate change. Can we participate on those EPA campuses that have programmable lights ? Tx.

01268-EPA-86

Allyn Brooks-LaSure/DC/USEPA/US 03/27/2009 01:27 PM	To	Richard Windsor
	cc	
	bcc	
	Subject	Re: Tomorrow from 8:30 pm to 9:30 pm local time is Earth Hour

No. The website going dark is symbolic but doesn't save any energy. We have included that message in some of our blogger outreach.

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 03/27/2009 01:06 PM EDT
To: Allyn Brooks-LaSure; Craig Hooks; Scott Fulton
Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: Re: Tomorrow from 8:30 pm to 9:30 pm local time is Earth Hour

Cool. We doing a release? Encouraging other energy and env agencies to do same?
Allyn Brooks-LaSure

----- Original Message -----
From: Allyn Brooks-LaSure
Sent: 03/27/2009 01:02 PM EDT
To: Richard Windsor; Craig Hooks; Scott Fulton
Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: Re: Tomorrow from 8:30 pm to 9:30 pm local time is Earth Hour

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MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 03/27/2009 01:00 PM EDT
To: Craig Hooks; Scott Fulton
Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: Tomorrow from 8:30 pm to 9:30 pm local time is Earth Hour

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01268-EPA-88

Scott Fulton/DC/USEPA/US
03/30/2009 10:45 PM

To Richard Windsor
cc Eric Wachter
bcc
Subject Fw: the delegation for Buy America waivers is on it's way for signature

(b) (5) Deliberative, (b)(5) Attorney Client Privilege

Cheers,
Scott

----- Forwarded by Scott Fulton/DC/USEPA/US on 03/30/2009 10:37 PM -----

Re: the delegation for Buy America waivers is on it 's way for signature

Craig Hooks to: Colleen Flaherty, Ray Spears 03/30/2009 01:54 PM

Cc: Brian Hope, Cynthia Gaines, "Susie Hazen", Howard Corcoran, Scott Fulton, Sherry Kaschak

---

Scott,

(b) (5) Deliberative, (b)(5) Attorney Client Privilege

Howard,
Pls add to this message if I haven't captured this just right. In addition, have you heard back from Joe Ferrante in OIA? If so, pls share that information with Scott. Thx.

Howard
Craig E. Hooks, Acting Assistant Administrator
Office of Administration and Resouces Management
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW (3101A)
Rm 3330 Ariel Rios North
Phone - 202 564-4600
Fax - 202 564-0233

Sent by EPA Wireless E-Mail Services.

01268-EPA-89

Megan Cryan/DC/USEPA/US
04/02/2009 09:21 AM

To
cc
bcc
Subject Climate Policy Briefing for Principals +1

Meeting

Date 04/06/2009
Time 02:30:00 PM to 03:30:00 PM
Chair Megan Cryan
Invitees
Required
Optional
FYI
Location EEOB 350
Ct: Kate Brandt (b) (6) Privacy

Staff: Dave McIntosh
Attendees: Principals +1

01268-EPA-90

Megan Cryan/DC/USEPA/US
04/02/2009 06:15 PM

To
cc
bcc
Subject Remarks at the Sierra Club Climate Recovery Symposium

Meeting

Date 05/13/2009
Time 02:00:00 PM to 02:30:00 PM
Chair Megan Cryan
Invitees
Required
Optional
FYI
Location Palomar Hotel DC,
National Meeting Room, 2nd Floor
Ct: Brian Caughell (b) (6) Personal Privacy brian.caughell@sierraclub.org

01268-EPA-92

Megan Cryan/DC/USEPA/US
04/07/2009 10:43 AM

To
cc
bcc
Subject FYI Climate Policy Meeting, Principals +1 (David McIntosh Handling)

Meeting

Date 04/09/2009
Time 03:00:00 PM to 04:00:00 PM
Chair Megan Cryan
Invitees
Required
Optional
FYI
Location EEOB 350.
Ct: Kate Brandt (b) (6) Personal Privacy

01268-EPA-95

David Cohen/DC/USEPA/US
04/13/2009 09:45 AM

To Allyn Brooks-LaSure, Richard Windsor
cc
bcc
Subject assume u've seen this

Newswise — Tuesday, April 14, Environmental leaders will hold a telephone press briefing to provide background on the upcoming Environmental Protection Agency announcement (expected on the 16th) that global warming pollution constitutes a danger to the public health and welfare. EPA is expected to declare its authority to hold polluters accountable under the Clean Air Act. The decision, ordered by the Supreme Court in 2007 and based upon years of scientific research and analysis, has the potential to significantly alter energy politics and policy. Environmental leaders say it will spur clean energy jobs and protect public health and welfare.

The following questions will be addressed:
How is carbon dioxide a threat to public health and welfare?
What are the implications of common sense EPA regulation of greenhouse gases that will likely result?
How does action under the current Clean Air Act relate to potential new climate legislation?
What signals does it send to the international community as nations continue to work on a climate treaty?

Environmental leaders will explain the history and significance of the expected announcement in a telephone briefing for reporters.

A Q&A session will follow.

WHO:
David Doniger, Climate Center Policy Director, Natural Resources Defense Council
David Bookbinder, Chief Climate Counsel, Sierra Club
Emily Figdor, Federal Global Warming Program Director, Environment America
Joe Mendelson, Global Warming Policy Director, National Wildlife Federation (moderating)
Dr. Amanda Staudt, Climate Scientist, National Wildlife Federation

WHEN: Tuesday, April 14, 2009. 11:00 AM.

WHERE: Via Teleconference. 800-791-2345, (b) (6) Personal Privacy. Credentialed media only.

01268-EPA-96

Allyn Brooks-LaSure/DC/USEPA/US

04/13/2009 09:50 AM

To David Cohen
cc Richard Windsor
bcc
Subject Re: assume u've seen this

(b) (5) Deliberative

MABL.

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

David Cohen Newswise – Tuesday, April 14, Environ... 04/13/2009 09:44:58 AM

From: David Cohen/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA
Date: 04/13/2009 09:44 AM
Subject: assume u've seen this

Newswise — Tuesday, April 14, Environmental leaders will hold a telephone press briefing to provide background on the upcoming Environmental Protection Agency announcement (expected on the 16th) that global warming pollution constitutes a danger to the public health and welfare. EPA is expected to declare its authority to hold polluters accountable under the Clean Air Act. The decision, ordered by the Supreme Court in 2007 and based upon years of scientific research and analysis, has the potential to significantly alter energy politics and policy. Environmental leaders say it will spur clean energy jobs and protect public health and welfare.

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David Doniger, Climate Center Policy Director, Natural Resources Defense Council
David Bookbinder, Chief Climate Counsel, Sierra Club
Emily Figdor, Federal Global Warming Program Director, Environment America

Joe Mendelson, Global Warming Policy Director, National Wildlife Federation (moderating)
Dr. Amanda Staudt, Climate Scientist, National Wildlife Federation

WHEN: Tuesday, April 14, 2009. 11:00 AM.

WHERE: Via Teleconference. 800-791-2345, (b) (6) Personal Privacy Credentialed media only.

01268-EPA-97

Allyn Brooks-LaSure/DC/USEPA/US

04/15/2009 02:45 PM

To "Richard Windsor"
cc
bcc
Subject For your review

(b) (5) Deliberative

[redacted]

(b) (5) Deliberative

[redacted]

[redacted]

###

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

01268-EPA-98

Allyn Brooks-LaSure/DC/USEPA/US

04/15/2009 04:59 PM

To Richard Windsor, "Allyn Brooks-Lasure"
cc
bcc
Subject Re: Quotes that are more along the framing I had in mind...

Got it.

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 04/15/2009 04:39 PM EDT
To: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: Quotes that are more along the framing I had in mind...

(b) (5) Deliberative

[redacted]

01268-EPA-99

Allyn Brooks-LaSure/DC/USEPA/US

04/15/2009 07:09 PM

To Richard Windsor
cc
bcc
Subject Re: Quotes that are more along the framing I had in mind...

Of course.

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

Richard Windsor [redacted] 04/15/2009 05:01:03 PM

From: Richard Windsor/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 04/15/2009 05:01 PM
Subject: Re: Quotes that are more along the framing I had in mind...

[redacted]

Allyn Brooks-LaSure

----- Original Message -----
From: Allyn Brooks-LaSure
Sent: 04/15/2009 04:59 PM EDT
To: Richard Windsor; "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: Re: Quotes that are more along the framing I had in mind...

Got it.

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 04/15/2009 04:39 PM EDT
To: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>
Subject: Quotes that are more along the framing I had in mind...

[redacted]

(b) (5) Deliberative

01268-EPA-100

Arvin Ganesan/DC/USEPA/US

04/15/2009 08:04 PM

To Richard Windsor
cc Lisa Heinzerling
bcc
Subject briefing

Hi Lisa,
We're getting together the Hill briefings for Friday. Here is the outline, which will be followed by an issue.

Outline

(b) (5) Deliberative

[redacted]

Thoughts?

ARVIN R. GANESAN
Deputy Associate Administrator for Congressional Affairs
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

01268-EPA-102

Allyn Brooks-LaSure/DC/USEPA/US

04/16/2009 02:37 PM

To Richard Windsor
cc
bcc
Subject FOR REVIEW

Below is a draft message from you to the EPA workforce tomorrow -- once we click send on the finding release. Please give your thoughts.

Colleagues:

(b) (5) Deliberative

(b) (5) Deliberative

01268-EPA-103

Scott Fulton/DC/USEPA/US
04/16/2009 06:18 PM

To "Allyn Brooks-LaSure"
cc "Richard Windsor"
bcc
Subject Fw: Press Release for the Larkin Baggett Indictment Today- it has been released

Fyi
Catherine McCabe

----- Original Message -----
From: Catherine McCabe
Sent: 04/16/2009 06:04 PM EDT
To: Scott Fulton; Bob Sussman
Subject: Fw: Press Release for the Larkin Baggett Indictment Today- it has been released
fyi

Catherine R. McCabe
Acting Assistant Administrator
U.S. EPA, Office of Enforcement and Compliance Assurance
1200 Pennsylvania Ave., N.W. (Ariel Rios South, Rm 3204)
Washington, D.C. 20460
202-564-2440

THIS MESSAGE IS CONFIDENTIAL and may contain legally privileged information. If you receive it in error, please delete it immediately, do not copy, and notify the sender. Thank you.
----- Forwarded by Catherine McCabe/DC/USEPA/US on 04/16/2009 06:03 PM -----

From: Fred Burnside/DC/USEPA/US
To: Catherine McCabe/DC/USEPA/US@EPA, Randy Hill/DC/USEPA/US@EPA
Cc: Adam Kushner/DC/USEPA/US@EPA
Date: 04/16/2009 05:50 PM
Subject: Press Release for the Larkin Baggett Indictment Today- it has been released

---

NEWS RELEASE:

UTAH FUGITIVE INDICTED FOR ASSAULT ON LAW

ENFORCEMENT OFFICERS AND FIREARMS VIOLATIONS

R. Alexander Acosta, United States Attorney for the Southern District of Florida, and Fred Burnside, Director, Environmental Protection Agency (EPA), Office of Criminal Enforcement, Forensics and Training, announced today that **Larkin Baggett,** 54, formerly of Salt Lake City, Utah, was charged by a federal Grand Jury in Miami today with assaulting law enforcement officers and illegally possessing eight firearms while he was a fugitive from the District of Utah on an environmental crimes prosecution. The five-count Indictment alleges that Baggett used a weapon to assault three EPA Special

Agents and a Monroe County Sheriff's Office Sargeant who was assisting the EPA, in violation of Title 18, United States Code, Sections 111 and 922(g).

According to the Indictment filed in this matter, defendant Baggett violated the conditions of his pre-trial release in the District of Utah, while awaiting trial in the case of *United States v. Larkin Baggett* , Case No. 2:07-00619-001-DAK, and became a fugitive from justice. A standard condition of pre-trial release prohibits the possession of firearms. Federal law also prohibits a fugitive from possessing firearms. According to the Indictment, Baggett possessed four rifles and four pistols of various calibers on March10, 2009, when agents sought to arrest him.

The Indictment further alleges that Baggett used a .308 caliber semi-automatic assault rifle to threaten the EPA Special Agents and the accompanying Monroe County Sargeant during the course of their execution of the Utah arrest warrant at Marathon, FL. According to Court records, Baggett was wounded during the course of his arrest and is in custody without bond pending his ability to appear in Court on the Utah charges.

U.S. Attorney Acosta stated, "Federal and state law enforcement officers provide essential services to our community. Anyone who endangers the life and safety of these dedicated public servants, especially through the illegal use of firearms, can expect to be prosecuted to the fullest extent of the law."

"Larkin Baggett was a fugitive with an outstanding federal warrant for his arrest," said Director Burnside, of the EPA. "The charges brought against him today stem from his threatening EPA's Special Agents and Monroe County Sheriff's Deputies with a firearm. We're gratified that none of the law enforcement officers involved in arresting Mr. Baggett was injured, and that through their efforts he has been apprehended and will have his day in court."

Mr. Acosta commended the coordinated investigative efforts of the Environmental Protection Agency, Criminal Investigation Division, the Bureau of Alcohol, Tobacco, and Firearms, and the Monroe County Sheriff's Office, which brought the matter to a successful conclusion. This case is being prosecuted by Special Assistant U.S. Attorney Jodi Mazer, who is also a Regional Criminal Enforcement Counsel with EPA, and Assistant U.S. Attorney Thomas Watts-FitzGerald.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at www.usdoj.gov/usao/fls. Related court documents and information may be found on the website of the United States District Court for the Southern District of Florida at www.flsd.uscourts.gov or on http://pacer.flsd.uscourts.gov.

Fred Burnside, Director
Office of Criminal Enforcement, Forensics and Training
202-564-2937 office
(b) (6) Personal Privacy cell

01268-EPA-104

"Corman, Bicky (DDOE)"
<bicky.corman@dc.gov>
04/17/2009 12:24 PM

To Richard Windsor
cc
bcc
Subject RE: EPA Made History Today

(b) (6) Privacy [redacted]

Bicky Corman

General Counsel

Government of the District of Columbia

District Department of the Environment

Office of the General Counsel

51 N St., N.E., 6th Floor

Washington, DC 20002

(202) 535-1951 (Direct)

(202) 535-2881 (Fax)

Bicky.Corman@dc.gov

www.ddoe.dc.gov

-----Original Message-----
From: Windsor.Richard@epamail.epa.gov
[mailto:Windsor.Richard@epamail.epa.gov]
Sent: Friday, April 17, 2009 12:23 PM
To: Corman, Bicky (DDOE)
Subject: Fw: EPA Made History Today

----- Forwarded by Richard Windsor/DC/USEPA/US on 04/17/2009 12:18 PM -----

From: Message from the Administrator

To: All EPA Employees

Date: 04/17/2009 12:14 PM

Subject: EPA Made History Today

Visit the Agency's Intranet for More Information
(Embedded image moved to file: pic02461.gif)
All Hands Email-Archive

****
This message is being sent to all EPA Employees.
Please do not reply to this mass mailing.
****

(Embedded image moved to file: pic12118.jpg)

Colleagues:

Just minutes ago, I signed a proposed finding indicating that six greenhouse gases pose a threat to the health and welfare of current and future generations of Americans. This was an historic action, and the first formal recognition by the U.S. government of the threats posed by climate change.

Two years ago, the Supreme Court urged EPA scientists to speak on the question of greenhouse gas pollution and the threats it poses to our health and welfare. They recognized the seriousness of this matter and I'm proud of the work you've done to tackle this question head-on.

We release this proposal amid the President's call to transition to a low-carbon economy, and strong Congressional leadership on clean energy and climate legislation. In the weeks and months ahead, we will work closely with all stakeholders to find the best solutions to the threats of climate change. I believe that the right answer will come through legislation that focuses on green jobs, clean energy, and new technologies.

This is an historic day for our country and our agency. As Earth Day approaches, today's announcement should remind all Americans that change has come for the environment. Change has come to the EPA.

Many hands played a part in this effort. You all have my sincerest appreciation and respect. I know staff and managers in OAR, ORD and OGC played a crucial role in this document's development. In particular, let me highlight the tireless work of Lisa Heinzerling, Dina Kruger, Ben DeAngelo, Rona Birnbaum, Carol Holmes and John Hannon. They, like all EPA employees, have given so much to advance our mission of protecting human health and the environment.

As always, I'm proud to serve with you. Thanks for your extraordinary work.

Sincerely,

Lisa P. Jackson

01268-EPA-105

"Corman, Bicky (DDOE)" <bicky.corman@dc.gov>
04/17/2009 12:33 PM

To Richard Windsor
cc
bcc
Subject RE: EPA Made History Today

(b) (6) Privacy

Bicky Corman
General Counsel
Government of the District of Columbia
District Department of the Environment
Office of the General Counsel
51 N St., N.E., 6th Floor
Washington, DC 20002
(202) 535-1951 (Direct)
(202) 535-2881 (Fax)
Bicky.Corman@dc.gov
www.ddoe.dc.gov

-----Original Message-----
From: Corman, Bicky (DDOE)
Sent: Friday, April 17, 2009 12:24 PM
To: 'Windsor.Richard@epamail.epa.gov'
Subject: RE: EPA Made History Today

(b) (6) Personal Privacy

Bicky Corman

General Counsel

Government of the District of Columbia

District Department of the Environment

Office of the General Counsel

51 N St., N.E., 6th Floor

Washington, DC 20002

(202) 535-1951 (Direct)

(202) 535-2881 (Fax)

Bicky.Corman@dc.gov

www.ddoe.dc.gov

-----Original Message-----
From: Windsor.Richard@epamail.epa.gov
[mailto:Windsor.Richard@epamail.epa.gov]

Sent: Friday, April 17, 2009 12:23 PM
To: Corman, Bicky (DDOE)
Subject: Fw: EPA Made History Today

----- Forwarded by Richard Windsor/DC/USEPA/US on 04/17/2009 12:18 PM -----

From: Message from the Administrator

To: All EPA Employees

Date: 04/17/2009 12:14 PM

Subject: EPA Made History Today

Visit the Agency's Intranet for More Information
(Embedded image moved to file: pic02461.gif)
All Hands Email-Archive

****
This message is being sent to all EPA Employees.
Please do not reply to this mass mailing.
****

(Embedded image moved to file: pic12118.jpg)

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question of greenhouse gas pollution and the threats it poses to our health and welfare. They recognized the seriousness of this matter and I'm proud of the work you've done to tackle this question head-on.

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As always, I'm proud to serve with you. Thanks for your extraordinary work.

Sincerely,

Lisa P. Jackson

01268-EPA-106

"Corman, Bicky (DDOE)"
<bicky.corman@dc.gov>
04/17/2009 12:36 PM

To Richard Windsor
cc
bcc
Subject (b) (6) Personal Privacy

Bicky Corman

General Counsel

Government of the District of Columbia

District Department of the Environment

Office of the General Counsel

51 N St., N.E., 6th Floor

Washington, DC 20002

(202) 535-1951 (Direct)

(202) 535-2881 (Fax)

Bicky.Corman@dc.gov

www.ddoe.dc.gov

-----Original Message-----
From: Corman, Bicky (DDOE)
Sent: Friday, April 17, 2009 12:33 PM
To: 'Windsor.Richard@epamail.epa.gov'
Subject: RE: EPA Made History Today

(b) (6) Personal Privacy

Bicky Corman
General Counsel
Government of the District of Columbia
District Department of the Environment
Office of the General Counsel
51 N St., N.E., 6th Floor
Washington, DC 20002
(202) 535-1951 (Direct)
(202) 535-2881 (Fax)
Bicky.Corman@dc.gov
www.ddoe.dc.gov

-----Original Message-----
From: Corman, Bicky (DDOE)
Sent: Friday, April 17, 2009 12:24 PM
To: 'Windsor.Richard@epamail.epa.gov'

Subject: RE: EPA Made History Today

(b) (6) Personal Privacy [redacted]

Bicky Corman

General Counsel

Government of the District of Columbia

District Department of the Environment

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-----Original Message-----
From: Windsor.Richard@epamail.epa.gov
[mailto:Windsor.Richard@epamail.epa.gov]
Sent: Friday, April 17, 2009 12:23 PM
To: Corman, Bicky (DDOE)
Subject: Fw: EPA Made History Today

----- Forwarded by Richard Windsor/DC/USEPA/US on 04/17/2009 12:18 PM -----

From: Message from the Administrator

To: All EPA Employees

Date: 04/17/2009 12:14 PM

Subject: EPA Made History Today

Visit the Agency's Intranet for More Information
(Embedded image moved to file: pic02461.gif)
All Hands Email-Archive

****
This message is being sent to all EPA Employees.
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(Embedded image moved to file: pic12118.jpg)

Colleagues:

Just minutes ago, I signed a proposed finding indicating that six greenhouse gases pose a threat to the health and welfare of current and future generations of Americans. This was an historic action, and the first formal recognition by the U.S. government of the threats posed by climate change.

Two years ago, the Supreme Court urged EPA scientists to speak on the question of greenhouse gas pollution and the threats it poses to our health and welfare. They recognized the seriousness of this matter and I'm proud of the work you've done to tackle this question head-on.

We release this proposal amid the President's call to transition to a low-carbon economy, and strong Congressional leadership on clean energy and climate legislation. In the weeks and months ahead, we will work closely with all stakeholders to find the best solutions to the threats of climate change. I believe that the right answer will come through legislation that focuses on green jobs, clean energy, and new technologies.

This is an historic day for our country and our agency. As Earth Day approaches, today's announcement should remind all Americans that change has come for the environment. Change has come to the EPA.

Many hands played a part in this effort. You all have my sincerest appreciation and respect. I know staff and managers in OAR, ORD and OGC played a crucial role in this document's development. In particular, let me highlight the tireless work of Lisa Heinzerling, Dina Kruger, Ben DeAngelo, Rona Birnbaum, Carol Holmes and John Hannon. They, like all EPA employees, have given so much to advance our mission of protecting human health and the environment.

As always, I'm proud to serve with you. Thanks for your extraordinary work.

Sincerely,

Lisa P. Jackson

01268-EPA-107

"Corman, Bicky (DDOE)" <bicky.corman@dc.gov>
04/17/2009 12:56 PM

To Richard Windsor
cc
bcc
Subject (b) (6) Personal Privacy

(b) (6) Personal Privacy

Bicky Corman
General Counsel
Government of the District of Columbia
District Department of the Environment
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-----Original Message-----
From: Windsor.Richard@epamail.epa.gov
[mailto:Windsor.Richard@epamail.epa.gov]
Sent: Friday, April 17, 2009 12:38 PM
To: Corman, Bicky (DDOE)
Subject: (b) (6) Personal Privacy

(b) (6) Personal Privacy

----- Original Message -----
From: "Corman, Bicky (DDOE)" [bicky.corman@dc.gov]
Sent: 04/17/2009 12:36 PM AST
To: Richard Windsor
Subject: (b) (6) Personal Privacy

Bicky Corman

General Counsel

Government of the District of Columbia

District Department of the Environment

Office of the General Counsel

51 N St., N.E., 6th Floor

Washington, DC 20002

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Subject: RE: EPA Made History Today

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From: Windsor.Richard@epamail.epa.gov
[mailto:Windsor.Richard@epamail.epa.gov]
Sent: Friday, April 17, 2009 12:23 PM
To: Corman, Bicky (DDOE)
Subject: Fw: EPA Made History Today

----- Forwarded by Richard Windsor/DC/USEPA/US on 04/17/2009 12:18 PM -----

From: Message from the Administrator

To: All EPA Employees

Date: 04/17/2009 12:14 PM

Subject: EPA Made History Today

Visit the Agency's Intranet for More Information
(Embedded image moved to file: pic02461.gif)
All Hands Email-Archive

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(Embedded image moved to file: pic12118.jpg)

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As always, I'm proud to serve with you. Thanks for your extraordinary work.

Sincerely,

Lisa P. Jackson

01268-EPA-108

"Jackson, Kenneth
(b) (6) Personal Privacy
[redacted]

04/17/2009 02:22 PM

To Richard Windsor
cc
bcc
Subject RE: EPA Made History Today

[redacted] (b) (6) Personal Privacy

[redacted]

-----Original Message-----
From: Windsor.Richard@epamail.epa.gov [mailto:Windsor.Richard@epamail.epa.gov
]
Sent: Friday, April 17, 2009 12:18 PM
To: Jackson, Kenneth [redacted] (b) (6) Personal Privacy
Subject: Fw: EPA Made History Today

----- Forwarded by Richard Windsor/DC/USEPA/US on 04/17/2009 12:16 PM

From: Message from the Administrator

To: All EPA Employees

Date: 04/17/2009 12:14 PM

Subject: EPA Made History Today

Visit the Agency's Intranet for More Information
(Embedded image moved to file: pic27196.gif)
All Hands Email-Archive

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****

(Embedded image moved to file: pic29033.jpg)

Colleagues:

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greenhouse gases pose a threat to the health and welfare of current and

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As always, I'm proud to serve with you. Thanks for your extraordinary

work.

Sincerely,

Lisa P. Jackson

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01268-EPA-109

Megan Cryan/DC/USEPA/US
04/17/2009 06:27 PM

To
cc
bcc
Subject NSC Climate Change Policy

Meeting

Date 04/21/2009
Time 05:15:00 PM to 06:30:00 PM
Chair Megan Cryan
Invitees
Required
Optional
FYI
Location EEOB 350
Ct: Kay Joshi 2[redacted]

01268-EPA-115

Allyn Brooks-LaSure/DC/USEPA/US

04/22/2009 03:51 PM

To "Richard Windsor", "Lisa Heinzerling", "David Mcintosh"
cc
bcc
Subject POTUS Speech mentions endangerment

Full speech below. (b) (5) Deliberative

[redacted]

[redacted]

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 04/22/2009 03:40 PM AST
To: Allyn Brooks-LaSure
Subject: Remarks by the President in Newton, IA

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release April 22, 2009

REMARKS BY THE PRESIDENT
ON CLEAN ENERGY

Trinity Structural Towers Manufacturing Plant
Newton, Iowa

12:52 P.M. CDT

THE PRESIDENT: Thank you so much. Thank you, Rich, for the great introduction. Thank you very much. Please, everybody have

a seat.

It is good to be back in Newton, and it's a privilege to be here at Trinity Structural Towers. I've got a couple of special thank yous that I want to make, because I've got a lot of old friends -- not old in years, but been friends for a long time now. First of all, your outstanding Governor, Chet Culver, please give him a big round of applause. (Applause.) His wonderful wife, Mari, I see over here. She's not on the card, but -- (applause.) My outstanding Secretary of Agriculture, who I plucked from Iowa, Tom Vilsack and his wonderful wife Christie Vilsack. (Applause.) We've got the Attorney General of Iowa, one of my co-chairs when I ran in the Iowa caucus and nobody could pronounce my name -- Tom Miller. (Applause.) My other co-chair, Mike Fitzgerald, Treasurer of Iowa. (Applause.) We got the Iowa Secretary of State, Mike Mauro. There he is. (Applause.) We've got your outstanding member of Congress who's working hard for Newton all the time, Leonard Boswell. (Applause.) And your own pride of Newton, Mayor Chaz Allen. (Applause.) There he is, back there. It's good to see you again, Chaz.

It is terrific to be here -- and by the way, I've got a whole bunch of folks here who were active in the campaign, and precinct captains. And I just want to thank all of them for showing up, and to all the great workers who are here at this plant -- thank you. (Applause.)

I just had a terrific tour of the facility led by several of the workers and managers who operate this plant. It wasn't too long ago, as Rich said, that Maytag closed its operations in Newton. And hundreds of jobs were lost. These floors were dark and silent. The only signs of a once thriving enterprise were the cement markings where the equipment had been before they were boxed up and carted away.

Look at what we see here today. This facility is alive again with new industry. This community is still going through some tough times. If you talk to your neighbors and friends, I know they -- the community still hasn't fully recovered from the loss of Maytag. Not everybody has been rehired. But more than 100 people will now be employed at this plant -- maybe more, if we keep on moving. Many of the same folks who had lost their jobs when Maytag shut its doors now are finding once again their ability to make great products.

Now, obviously things aren't exactly the same as they were with Maytag, because now you're using the materials behind me to build towers to support some of the most advanced wind turbines in the world. When completed, these structures will hold up blades that can generate as much as 2.5 megawatts of electricity -- enough

energy to power hundreds of homes. At Trinity, you are helping to lead the next energy revolution. But you're also heirs to the last energy revolution.

Think about it: roughly a century and a half ago, in the late 1950s [sic], the Seneca Oil Company hired an unemployed train conductor named Edwin Drake to investigate the oil springs of Titusville, Pennsylvania. Around this time, oil was literally bubbling up from the ground -- but nobody knew what to do with it. It had limited economic value and often all it did was ruin crops or pollute drinking water.

Now, people were starting to refine oil for use as a fuel. Collecting oil remained time consuming, though, and it was back-breaking, and it was costly; it wasn't efficient, as workers harvested what they could find in the shallow ground -- they'd literally scoop it up. But Edwin Drake had a plan. He purchased a steam engine, and he built a derrick, and he began to drill.

And months passed. And progress was slow. The team managed to drill into the bedrock just a few feet each day. And crowds gathered and they mocked Mr. Drake. They thought him and the other diggers were foolish. The well that they were digging even earned the nickname, "Drake's Folly." But Drake wouldn't give up. And he had an advantage: total desperation. It had to work. And then one day, it finally did.

One morning, the team returned to the creek to see crude oil rising up from beneath the surface. And soon, Drake's well was producing what was then an astonishing amount of oil -- perhaps 10, 20 barrels every day. And then speculators followed and they built similar rigs as far as the eye could see. In the next decade, the area would produce tens of millions of barrels of oil. And as the industry grew, so did the ingenuity of those who sought to profit from it, as competitors developed new techniques to drill and transport oil to drive down costs and gain a competitive advantage in the marketplace.

Now, our history is filled with such stories -- stories of daring talent, of dedication to an idea even when the odds are great, of the unshakeable belief that in America, all things are possible.

And this has been especially true in energy production. From the first commercially viable steamboat developed by Robert Fulton to the first modern solar cell developed at Bell Labs; from the experiments of Benjamin Franklin to harness the energy of lightning to the experiments of Enrico Fermi to harness the power contained in the atom, America has always led the world in producing and harnessing new forms of energy.

But just as we've led the global economy in developing new sources of energy, we've also led in consuming energy. While we make up less than 5 percent of the world's population, we produce roughly a quarter of the world's demand for oil.

And this appetite comes now at a tremendous cost to our economy. It's the cost measured by our trade deficit; 20 percent of what we spend on imports is the price of our oil imports. We send billions of dollars overseas to oil-exporting nations, and I think all of you know many of them are not our friends. It's the same costs attributable to our vulnerability to the volatility of oil markets. Every time the world oil market goes up, you're getting stuck at the pump. It's the cost we feel in shifting weather patterns that are already causing record-breaking droughts, unprecedented wildfires, more intense storms.

It's a cost we've known ever since the gas shortages of the 1970s. And yet, for more than 30 years, too little has been done about it. There's a lot of talk of action when oil prices skyrocket like they did last summer and everybody says we got to do something about energy independence, but then it slips from the radar when oil prices start falling like they have recently. So we shift from shock to indifference time and again, year after year.

We can't afford that approach anymore -- not when the cost for our economy, for our country, and for our planet is so high. So on this Earth Day, it is time for us to lay a new foundation for economic growth by beginning a new era of energy exploration in America. That's why I'm here. (Applause.)

Now, the choice we face is not between saving our environment and saving our economy. The choice we face is between prosperity and decline. We can remain the world's leading importer of oil, or we can become the world's leading exporter of clean energy. We can allow climate change to wreak unnatural havoc across the landscape, or we can create jobs working to prevent its worst effects. We can hand over the jobs of the 21st century to our competitors, or we can confront what countries in Europe and Asia have already recognized as both a challenge and an opportunity: The nation that leads the world in creating new energy sources will be the nation that leads the 21st-century global economy.

America can be that nation. America must be that nation. And while we seek new forms of fuel to power our homes and cars and businesses, we will rely on the same ingenuity -- the same American spirit -- that has always been a part of our American story.

Now, this will not be easy. There aren't any silver bullets.

There's no magic energy source right now. Maybe some kid in a lab somewhere is figuring it out. Twenty years from now, there may be an entirely new energy source that we don't yet know about. But right now, there's no silver bullet. It's going to take a variety of energy sources, pursued through a variety of policies, to drastically reduce our dependence on oil and fossil fuels. As I've often said, in the short term, as we transition to renewable energy, we can and should increase our domestic production of oil and natural gas. We're not going to transform our economy overnight. We still need more oil, we still need more gas. If we've got some here in the United States that we can use, we should find it and do so in an environmentally sustainable way. We also need to find safer ways to use nuclear power and store nuclear waste.

But the bulk of our efforts must focus on unleashing a new, clean-energy economy that will begin to reduce our dependence on foreign oil, will cut our carbon pollution by about 80 percent by 2050, and create millions of new jobs right here in America -- right here in Newton.

My administration has already taken unprecedented action towards this goal. It's work that begins with the simplest, fastest, most effective way we have to make our economy cleaner, and that is to make our economy more energy efficient. California has shown that it can be done; while electricity consumption grew 50 percent in this country over the last three decades, in California, it remained flat.

Think about this. I want everybody to think about this. Over the last several decades, the rest of the country, we used 50 percent more energy; California remained flat, used the same amount, even though that they were growing just as fast as the rest of the country -- because they were more energy efficient. They put in some good policy early on that assured that they weren't wasting energy. Now, if California can do it, then the whole country can do it. Iowa can do it.

Through the American Recovery and Reinvestment Act, we've begun to modernize 75 percent of all federal building space, which has the potential to reduce long-term energy costs just in federal buildings by billions of dollars on behalf of taxpayers. We're providing grants to states to help weatherize hundreds of thousands of homes, which will save the families that benefit about $350 each year. That's like a $350 tax cut.

Consumers are also eligible as part of the Recovery Act for up to $1,500 in tax credits to purchase more efficient cooling and heating systems, insulation and windows in order to reduce their energy bills. And I've issued a memorandum to the Department of

Energy to implement more aggressive efficiency standards for common household appliances, like dishwashers and refrigerators. We actually have made so much progress, just on something as simple as refrigerators, that you have seen refrigerators today many times more efficient than they were back in 1974. We save huge amounts of energy if we upgrade those appliances. Through this -- through these steps, over the next three decades, we will save twice the amount of energy produced by all the coal-fired power plants in America in any given year.

We're already seeing reports from across the country of how this is beginning to create jobs, because local governments and businesses rush to hire folks to do the work of building and installing these energy-efficient products.

And these steps will spur job creation and innovation as more Americans make purchases that place a premium on reducing energy consumption. Business across the country will join the competition, developing new products, seeking new consumers.

In the end, the sum total of choices made by consumers and companies in response to our recovery plan will mean less pollution in our air and water, it'll reduce costs for families and businesses -- money in your pocket -- and it will lower our overall reliance on fossil fuels which disrupt our environment and endanger our children's future.

So, that's step number one: energy efficiency. That's the low-hanging fruit. But energy efficiency can only take us part of the way. Even as we're conserving energy, we need to change the way we produce energy.

Today, America produces less than 3 percent of our electricity through renewable sources like wind and solar -- less than 3 percent. Now, in comparison, Denmark produces almost 20 percent of their electricity through wind power. We pioneered solar technology, but we've fallen behind countries like Germany and Japan in generating it, even though we've got more sun than either country.

I don't accept this is the way it has to be. When it comes to renewable energy, I don't think we should be followers, I think it's time for us to lead. (Applause.)

We are now poised to do exactly that. According to some estimates, last year, 40 percent of all new generating capacity in our country came from wind. In Iowa, you know what this means. This state is second only to Texas in installed wind capacity, which more than doubled last year alone. The result: Once shuttered factories are whirring back to life right here at

Trinity; at TPI Composites, where more than 300 workers are manufacturing turbine blades, same thing; elsewhere in this state and across America.

In 2000, energy technology represented just one half of one percent of all venture capital investments. Today, it's more than 10 percent.

The recovery plan seeks to build on this progress, and encourage even faster growth. We're providing incentives to double our nation's capacity to generate renewable energy over the next few years -- extending the production tax credit, providing loan guarantees, offering grants to spur investment in new sources of renewable fuel and electricity.

My budget also invests $15 billion each year for 10 years to develop clean energy including wind power and solar power, geothermal energy and clean coal technology.

And today I'm announcing that my administration is taking another historic step. Through the Department of Interior, we are establishing a program to authorize -- for the very first time -- the leasing of federal waters for projects to generate electricity from wind as well as from ocean currents and other renewable sources. And this will open the door to major investments in offshore clean energy. For example, there is enormous interest in wind projects off the coasts of New Jersey and Delaware, and today's announcement will enable these projects to move forward.

It's estimated that if we fully pursue our potential for wind energy on land and offshore, wind can generate as much as 20 percent of our electricity by 2030 and create a quarter-million jobs in the process -- 250,000 jobs in the process, jobs that pay well and provide good benefits. It's a win-win: It's good for the environment; it's great for the economy.

Even as we pursue renewable energy from the wind and the sun and other sources, we also need a smarter, stronger electricity grid -- some of you have been hearing about this, this smart grid -- a grid that can carry energy from one end of this country to the other. So when you guys are building these amazing towers and the turbines are going up and they're producing energy, we've got to make sure that energy produced in Iowa can get to Chicago; energy produced in North Dakota can get to Milwaukee. That's why we're making an $11 billion investment through the recovery plan to modernize the way we distribute electricity.

And as we're taking unprecedented steps to save energy and generate new kinds of energy for our homes and businesses, we

need to do the same for our cars and trucks.

Right now, two of America's iconic automakers are considering their future. They're facing difficult challenges -- I'm talking about Chrysler and GM. But one thing we know is that for automakers to succeed in the future, these companies need to build the cars of the future -- they can't build the cars of the past. Yet, for decades, fuel economy and fuel economy standards have stagnated, leaving American consumers vulnerable to the ebb and flow of gas prices. When gas prices spike up like they did last summer, suddenly the market for American cars plummets because we build SUVs. That's it. It leaves the American economy ever more dependent on the supply of foreign oil.

We have to create the incentives for companies to develop the next generation of clean-energy vehicles -- and for Americans to drive them, particularly as the U.S. auto industry moves forward on a historic restructuring that can position it for a more prosperous future.

And that's why my administration has begun to put in place higher fuel economy standards for the first time since the mid-1980s, so our cars will get better mileage, saving drivers money, spurring companies to develop more innovative products. The Recovery Act also includes $2 billion in competitive grants to develop the next generation of batteries for plug-in hybrids. We're planning to buy 17,600 American-made, fuel-efficient cars and trucks for the government fleet. And today, Vice President Biden is announcing a Clean Cities grant program through the Recovery Act to help state and local governments purchase clean-energy vehicles, too.

We can clean up our environment and put people back to work in a strong U.S. auto industry, but we've got to have some imagination and we've got to be bold. We can't be looking backwards, we've got to look -- we've got to look forward.

My budget is also making unprecedented investments in mass transit, high-speed rail, and in our highway system to reduce the congestion that wastes money and time and energy. We need to connect Des Moines to Chicago with high-speed rail all across the Midwest. (Applause.) That way you don't have to take off your shoes when you want to go visit Chicago going through the airport.

My budget also invests in advanced biofuels and ethanol, which, as I've said, is an important transitional fuel to help us end our dependence on foreign oil while moving towards clean, homegrown sources of energy.

And while we're creating the incentives for companies to develop these technologies, we're also creating incentives for consumers to adapt to these new technologies. So the Recovery Act includes a new credit -- new tax credit for up to $7,500 to encourage Americans to buy more fuel-efficient cars and trucks. So if you guys are in the market to buy a car or truck, check out that tax credit.

In addition, innovation depends on innovators doing the research and testing the ideas that might not pay off in the short run -- some of them will be dead-ends, won't pay off at all -- but when taken together, hold incredible potential over the long term. And that's why my recovery plan includes the largest investment in basic research funding in American history. And my budget includes a 10-year commitment to make the Research and Experimentation Tax Credit permanent. That's a tax credit that returns $2 to the economy for every dollar we spend. That young guy in the garage designing a new engine or a new battery, that computer scientist who's imagining a new way of thinking about energy, we need to fund them now, fund them early, because that's what America has always been about: technology and innovation.

And this is only the beginning. My administration will be pursuing comprehensive legislation to move towards energy independence and prevent the worst consequences of climate change, while creating the incentives to make clean energy the profitable kind of energy in America.

Now, there's been some debate about this whole climate change issue. But it's serious. It could be a problem. It could end up having an impact on farmers like Rich. If you're starting to see temperatures grow -- rise 1, 2, 3 percent, have a profound impact on our lives. And the fact is, we place limits on pollutants like sulfur dioxide and nitrogen dioxide and other harmful emissions. But we haven't placed any limits on carbon dioxide and other greenhouse gases. It's what's called the carbon loophole.

Now, last week, in response to a mandate from the United States Supreme Court, the Environmental Protection Agency determined that carbon dioxide and other tailpipe emissions are harmful to the health and well-being of our people. So there's no question that we have to regulate carbon pollution in some way; the only question is how we do it.

I believe the best way to do it is through legislation that places a market-based cap on these kinds of emissions. And today, key members of my administration are testifying in Congress on a bill that seeks to enact exactly this kind of market-based approach. My hope is that this will be the vehicle

through which we put this policy in effect.

And here's how a market-based cap would work: We'd set a cap, a ceiling, on all the carbon dioxide and other greenhouse gases that our economy is allowed to produce in total, combining the emissions from cars and trucks, coal-fired power plants, energy-intensive industries, all sources.

And by setting an overall cap, carbon pollution becomes like a commodity. It places a value on a limited resource, and that is the ability to pollute. And to determine that value, just like any other traded commodity, we'd create a market where companies could buy and sell the right to produce a certain amount of carbon pollution. And in this way, every company can determine for itself whether it makes sense to spend the money to become cleaner or more efficient, or to spend the money on a certain amount of allowable pollution.

Over time, as the cap on greenhouse gases is lowered, the commodity becomes scarcer -- and the price goes up. And year by year, companies and consumers would have greater incentive to invest in clean energy and energy efficiency as the price of the status quo became more expensive.

What this does is it makes wind power more economical, makes solar power more economical. Clean energy all becomes more economical. And by closing the carbon loophole through this kind of market-based cap, we can address in a systematic way all the facets of the energy crisis: We lower our dependence on foreign oil, we reduce our use of fossil fuels, we promote new industries right here in America. We set up the right incentives so that everybody is moving in the same direction towards energy independence.

And as we pursue solutions through the public and private sectors, we also need to remember that every American has a role to play. This is not just a job for government. You know, some of you may remember, during the campaign, when gas was real high, I suggested during the campaign that one small step Americans could take would be to keep their tires inflated. Do you remember that? Everybody teased me. They said, oh, look, look, that's Obama's energy policy. My opponents sent around tire gauges. But I tell you what, it turns out that saves you an awful lot of gas -- money in your pocket. It also made sense for our energy use as a whole. If everybody kept their tires inflated, that would have a big dent; it would produce as much oil savings as we might be pumping in some of these offshore sites by drilling.

So we've got to get everybody involved in this process. I don't

accept the conventional wisdom that suggests that the American people are unable or unwilling to participate in a national effort to transform the way we use energy. I don't believe that the only thing folks are capable of doing is just paying their taxes. I disagree. I think the American people are ready to be part of a mission. I believe that. (Applause.)

It's not just keeping your tires inflated. If each one of us replaced just one ordinary incandescent light bulb with one of those compact fluorescent light bulbs -- you know, the swirly ones -- that could save enough energy to light 3 million homes. Just one light bulb each -- 3 million homes worth of energy savings. That's just one small step. So all of us are going to have to be involved in this process. And like I said, if you make the investment upfront, you, the individual consumer, will save money in the long term, and all of us collectively will be better off.

Now, this is also a global problem, so it's going to require a global coalition to solve it. If we've got problems with climate change, and the temperature rising all around the world, that knows no boundaries; and the decisions of any nation will affect every nation. So next week, I will be gathering leaders of major economies from all around the world to talk about how we can work together to address this energy crisis and this climate crisis.

Truth is the United States has been slow to participate in this kind of a process, working with other nations. But those days are over now. We are ready to engage -- and we're asking other nations to join us in tackling this challenge together. (Applause.)

All of these steps, all of these steps we've taken in just the first three months, probably represents more progress than we've achieved in three decades on the energy front. We're beginning the difficult work of reducing our dependence on foreign oil. We're beginning to break the bonds, the grip, that fossil fuels has on us. We're beginning to create a new, clean-energy economy -- and the millions of jobs that will flow from it.

Now, there are those who still cling to the notion that we ought to just continue doing what we do; that we can't change; Americans like to use a lot of energy, that's just how we are; that government has neither the responsibility nor the reason to address our dependence on energy sources even though they undermine our security and threaten our economy and endanger our planet.

And then there is this even more dangerous idea -- the idea that there's nothing we can do about it: our politics is broken, our

people are unwilling to make hard choices. So politicians decide, look, even though we know it's something that has to be done, we're just going to put it off. That's what happened for the last three, four, five decades. Everybody has known that we had to do something but nobody wanted to actually go ahead and do it because it's hard.

So the implication in this argument is that we've somehow lost something important -- that perhaps because of the very prosperity we've built over the course of generations, that we've given up that fighting American spirit, that sense of optimism, that willingness to tackle tough challenges, that determination to see those challenges to the end, the notion that we've gotten soft somehow.

I reject that argument. I reject it because of what you're doing right here at Trinity; what's happening right here in Newton after folks have gone through hard times. I reject it because of what I've seen across this country, in all the eyes of the people that I've met, in the stories that I've heard, in the factories I've visited, in the places where I've seen the future being pieced together -- test by test, trial by trial.

So it will not be easy. There will be bumps along the road. There will be costs for our nation and for each of us as individuals. As I said before, there's no magic bullet, there's no perfect answer to our energy needs. All of us are going to have to use energy more wisely. But I know that we are ready and able to meet these challenges. All of us are beneficiaries of a daring and innovative past. Our parents, our grandparents, our great-grandparents adapted to much more difficult circumstances to deliver the prosperity that we enjoy today.

And I'm confident that we can be and will be the benefactors of a brighter future for our children and grandchildren. That can be our legacy -- a legacy of vehicles powered by clean renewable energy traveling past newly opened factories; of industries employing millions of Americans in the work of protecting our planet; of an economy exporting the energy of the future instead of importing the energy of the past; of a nation once again leading the world to meet the challenges of our time.

That's our future. I hope you're willing to work with me to get there. Thank you very much. God bless you. God bless the United States of America. Thank you. (Applause.)

END 1:25 P.M. CDT

You are currently subscribed to whitehouse-daily-reporters as:
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01268-EPA-116

Arvin Ganesan/DC/USEPA/US

04/22/2009 11:18 PM

To "Richard Windsor"
cc
bcc
Subject T and I hearing timeline

Hi lisa,
You did great today. (b) (5) Deliberative

[redacted]

We have briefing time scheduled for tuesday and here is the schedule I propose for the next week.

(b) (5) Deliberative

[redacted]

Arvin
Sent from my Blackberry Wireless Device

01268-EPA-117

Allyn Brooks-LaSure/DC/USEPA/US

04/23/2009 06:43 AM

To "Richard Windsor"
cc
bcc
Subject Press avail

Today - [redacted] (b) (5) Deliberative [redacted] Should take about thirty minutes.

Tomorrow - around 8am - [redacted] (b) (5) Deliberative [redacted]. This would also take about thirty minutes.

Are you comfortable with both?

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

01268-EPA-118

Allyn Brooks-LaSure/DC/USEPA/US

04/23/2009 06:55 AM

To "Richard Windsor"
cc
bcc
Subject Re: Press avail

Amendment - time of tomorrow's presser would be around 10:45. Room permitting.

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415
Allyn Brooks-LaSure

----- Original Message -----
From: Allyn Brooks-LaSure
Sent: 04/23/2009 06:43 AM EDT
To: "Richard Windsor" <Windsor.richard@epa.gov>
Subject: Press avail

Today - (b) (5) Deliberative . Should take about thirty minutes.

Tomorrow - around 8am - (b) (5) Deliberative This would also take about thirty minutes.

Are you comfortable with both?

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

01268-EPA-119

Allyn Brooks-LaSure/DC/USEPA/US

04/23/2009 10:57 AM

To Richard Windsor
cc
bcc
Subject Update: disregard previous email

The press avail is TODAY at 7:45. I am drafting opening statement from you.
[redacted] (b) (5) Deliberative [redacted]

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 04/23/2009 10:55 AM EDT
To: Allyn Brooks-LaSure
Subject: Re: Press avail

Ok
Allyn Brooks-LaSure

----- Original Message -----
From: Allyn Brooks-LaSure
Sent: 04/23/2009 06:55 AM EDT
To: "Richard Windsor" <Windsor.richard@epa.gov>
Subject: Re: Press avail

Amendment - time of tomorrow's presser would be around 10:45. Room permitting.

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415
Allyn Brooks-LaSure

----- Original Message -----
From: Allyn Brooks-LaSure
Sent: 04/23/2009 06:43 AM EDT
To: "Richard Windsor" <Windsor.richard@epa.gov>
Subject: Press avail

Today - [redacted] (b) (5) Deliberative [redacted]. Should take about thirty minutes.

Tomorrow - around 8am - [redacted] (b) (5) Deliberative [redacted]. This would also take about thirty minutes.

Are you comfortable with both?

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

01268-EPA-132

Scott Fulton/DC/USEPA/US
05/04/2009 03:42 PM

To Richard Windsor
cc
bcc
Subject Re: Green Jobs Initiative

A couple of things here. Spoke to Catherine and Beth (b) (5) Deliberative, (b)(5) Attorney Client Privilege [redacted].

Richard Windsor Agreed that (b) (5) Deliberative 05/04/2009 12:14:34 PM

From: Richard Windsor/DC/USEPA/US
To: Scott Fulton/DC/USEPA/US@EPA
Date: 05/04/2009 12:14 PM
Subject: Re: Green Jobs Initiative

Agreed that (b) (5) Deliberative [redacted]. Tx.

Scott Fulton

----- Original Message -----
From: Scott Fulton
Sent: 05/04/2009 12:02 PM EDT
To: Richard Windsor
Cc: Eric Wachter
Subject: Fw: Green Jobs Initiative

I have spoken with Rob about this concept. (b) (5) Deliberative [redacted]

[redacted]

----- Forwarded by Scott Fulton/DC/USEPA/US on 05/04/2009 11:49 AM -----

From: Rob Brenner/DC/USEPA/US
To: LisaP Jackson/DC/USEPA/US@EPA
Cc: Eric Wachter/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Marcia Mulkey/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, Charles Lee/DC/USEPA/US@EPA
Date: 05/04/2009 10:10 AM
Subject: Green Jobs Initiative

Dear Administrator Jackson,

I have been working with senior managers across the Agency and CEQ to develop a green jobs initiative that could be launched quickly. It would establish--within weeks--ten high-profile green jobs/green development programs in environmental justice communities around the country.

We would use the tools provided by the Recovery Act, coupled with the knowledge and experience of EPA and our colleagues in other federal, state and local government agencies. No new resources are required. The outcome will be at least hundreds--and more likely thousands--of green jobs in every one of those ten communities. The attached two-pager describes the concept in more detail.

(b) (5) Deliberative

[redacted]

Rob Brenner

[attachment "Green Jobs in Environmental Justice Communities.doc" deleted by Richard Windsor/DC/USEPA/US]

01268-EPA-134

Richard Windsor/DC/USEPA/US
05/07/2009 08:23 AM

To David McIntosh
cc
bcc
Subject Re: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

Agreed - saw it y'day.
David McIntosh

----- Original Message -----
From: David McIntosh
Sent: 05/07/2009 08:20 AM EDT
To: Richard Windsor; Lisa Heinzerling; Arvin Ganesan; Diane Thompson
Subject: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

[redacted] (b) (5) Deliberative [redacted]

EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (*Wall Street Journal*)

MAY 6, 2009, 6:13 P.M. ET

By IAN TALLEY

WASHINGTON -- New federal greenhouse gas emission regulation could expose a raft of smaller emitters to litigation, a nominee for a key post in the Environmental Protection Agency told lawmakers Thursday.

The potential for smaller emitters to be regulated under the Clean Air Act is one reason why business groups warn that EPA regulation of greenhouse gases could create a cascade of legal and regulatory challenges across a much broader array of sectors. The Obama administration has said that isn't their intent.

Regina McCarthy, nominated to be EPA's Director of Air and Radiation, told lawmakers that even while the government has flexibility in setting the threshold of emitting facilities to be regulated, she acknowledges the risk of lawsuits to challenge those levels for

smaller emitters. Ms. McCarthy's office is responsible for drafting federal emission rules.

Sen. John Barrasso (R., Wyo.) has put a hold on Ms. McCarthy's nomination in part because of her responses on the greenhouse gas issue.

Under the Obama administration, the EPA is moving forward to declare greenhouse gas emissions a danger to public health and welfare, which will trigger new rules once finalized. The EPA says that only around 13,000 of the largest emitters, such as refiners, smelters and cement plants would likely be regulated.

Many legal experts say that based on clear Clean Air Act statutes, however, regulations could be applied to any facility that emits more than 100-250 tons a year, including hospitals, schools and farms. Taken in aggregate, farm animals are major greenhouse gas sources because of methane and nitrous oxide emissions from flatulence, belching and manure. Buildings often emit greenhouse gases from internal heating or cooling units.

"It is a myth … EPA will regulate cows, Dunkin Donuts, Pizza Huts, your lawnmower and baby bottles," EPA Administrator Lisa Jackson said earlier this year, dismissing concerns raised by groups such as the Chamber and the National Association of Manufacturers.

But in responses to a senator's questioning, Ms. McCarthy acknowledged that legal suits could be brought against small emitters.

Asked how she would protect smaller sources against suits, Ms. McCarthy said she would talk with the litigants: "I will request that I be informed if any such notice is filed with regards to a small source, and I will follow-up with the potential litigants."

Bill Kovacs, the head of environment and regulatory affairs at the U.S. Chamber of Commerce said, "There's no way she can talk to the litigants and control them." By the Chamber's estimate, there are 1.5 million facilities -- such as large office buildings that have their own boilers -- that produce over the 250-ton limit.

Kassie Siegel, director of the Center for Biological Diversity's Climate Law Institute, says her group is prepared to sue for regulation of smaller emitters if the EPA stops at simply large emitters.

01268-EPA-135

Arvin Ganesan/DC/USEPA/US

05/07/2009 08:29 AM

To David McIntosh

cc Diane Thompson, Lisa Heinzerling, Richard Windsor, Allyn Brooks-LaSure

bcc

Subject Re: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

I saw that last night. [redacted] (b) (5) Deliberative [redacted]

[redacted]

ARVIN R. GANESAN
Deputy Associate Administrator for Congressional Affairs
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

David McIntosh [redacted] (b) (5) Deliberative 05/07/2009 08:20:14 AM

From: David McIntosh/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA
Date: 05/07/2009 08:20 AM
Subject: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

[redacted] (b) (5) Deliberative [redacted]

EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (*Wall Street Journal*)

MAY 6, 2009, 6:13 P.M. ET

By **IAN TALLEY**

WASHINGTON -- New federal greenhouse gas emission regulation could expose a raft of smaller emitters to litigation, a nominee for a key post in the Environmental Protection Agency told lawmakers Thursday.

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Many legal experts say that based on clear Clean Air Act statutes, however, regulations could be applied to any facility that emits more than 100-250 tons a year, including hospitals, schools and farms. Taken in aggregate, farm animals are major greenhouse gas sources because of methane and nitrous oxide emissions from flatulence, belching and manure. Buildings often emit greenhouse gases from internal heating or cooling units.

"It is a myth … EPA will regulate cows, Dunkin Donuts, Pizza Huts, your lawnmower and baby bottles," EPA Administrator Lisa Jackson said earlier this year, dismissing concerns raised by groups such as the Chamber and the National Association of Manufacturers.

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said, "There's no way she can talk to the litigants and control them." By the Chamber's estimate, there are 1.5 million facilities -- such as large office buildings that have their own boilers -- that produce over the 250-ton limit.

Kassie Siegel, director of the Center for Biological Diversity's Climate Law Institute, says her group is prepared to sue for regulation of smaller emitters if the EPA stops at simply large emitters.

01268-EPA-136

Arvin Ganesan/DC/USEPA/US

05/07/2009 08:40 AM

To Richard Windsor

cc Allyn Brooks-LaSure, David McIntosh, Diane Thompson, Lisa Heinzerling

bcc

Subject Re: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

I think the main point that this article indicates is that [redacted] (b) (5) Deliberative [redacted]

[redacted] (b) (5) Deliberative [redacted] .

ARVIN R. GANESAN
Deputy Associate Administrator for Congressional Affairs
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

Richard Windsor [redacted] (b) (5) Deliberative [redacted] 05/07/2009 08:35:56 AM

From: Richard Windsor/DC/USEPA/US
To: Arvin Ganesan/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA
Cc: Diane Thompson/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 05/07/2009 08:35 AM
Subject: Re: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

[redacted] (b) (5) Deliberative [redacted]

Arvin Ganesan

----- Original Message -----
From: Arvin Ganesan
Sent: 05/07/2009 08:29 AM EDT
To: David McIntosh
Cc: Diane Thompson; Lisa Heinzerling; Richard Windsor; Allyn Brooks-LaSure
Subject: Re: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

I saw that last night [redacted] (b) (5) Deliberative [redacted]

[redacted]

ARVIN R. GANESAN
Deputy Associate Administrator for Congressional Affairs
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

David McIntosh [redacted] (b) (5) Deliberative [redacted] 05/07/2009 08:20:14 AM

Many legal experts say that based on clear Clean Air Act statutes, however, regulations could be applied to any facility that emits more than 100-250 tons a year, including hospitals, schools and farms. Taken in aggregate, farm animals are major greenhouse gas sources because of methane and nitrous oxide emissions from flatulence, belching and manure. Buildings often emit greenhouse gases from internal heating or cooling units.

"It is a myth … EPA will regulate cows, Dunkin Donuts, Pizza Huts, your lawnmower and baby bottles," EPA Administrator Lisa Jackson said earlier this year, dismissing concerns raised by groups such as the Chamber and the National Association of Manufacturers.

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Bill Kovacs, the head of environment and regulatory affairs at the U.S. Chamber of Commerce said, "There's no way she can talk to the litigants and control them." By the Chamber's estimate, there are 1.5 million facilities -- such as large office buildings that have their own boilers -- that produce over the 250-ton limit.

Kassie Siegel, director of the Center for Biological Diversity's Climate Law Institute, says her group is prepared to sue for regulation of smaller emitters if the EPA stops at simply large emitters.

01268-EPA-137

Arvin Ganesan/DC/USEPA/US

05/07/2009 10:55 AM

To Richard Windsor
cc
bcc
Subject Re: EPA Nominee Suggests New CO2 Rules May Expose Small Emitters (Wall Street Journal)

Lisa,

[redacted] (b) (5) Deliberative

[redacted]

[redacted]

Are you Ok with that?

Here's her QFR:

Question

Assuming the answer to question a. is "no," whether EPA has authority to exclude any sources with a potential to emit of more than 100 or 250 tons per year (as applicable) of CO2 from the PSD program (either temporarily or permanently)? If so, please explain in detail the justification for this position. Administrator Jackson has suggested that a *de minimis* legal theory or a theory of administrative necessity might justify such exclusions. If you believe you can manage this, how do you protect these sources against citizen suits?

> **Answer**: *My understanding is that the ANPR on potential CAA regulation of greenhouse gases explored legal theories for providing regulatory flexibility with respect to small sources of global warming pollution and that the Agency is now considering comments received on those theories in response to the ANPR. I look forward to hearing the views of Agency legal counsel and the public commenters on the Agency's ability to take source size into account in exercising CAA authorities. As you know, the CAA requires that citizens give EPA and the relevant state 60 days notice before bringing a citizen suit. If confirmed, I will request that I be informed if any such notice is filed with regard to a small source, and I will follow-up with the potential litigants.*

ARVIN R. GANESAN
Deputy Associate Administrator for Congressional Affairs
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

David McIntosh [redacted] (b) (5) Deliberative 05/07/2009 08:20:14 AM

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01268-EPA-142

Katharine Gage/DC/USEPA/US
05/12/2009 09:17 AM

To
cc
bcc
Subject Pew Center Keynote

Meeting

Date 06/25/2009
Time 10:30:00 AM to 11:00:00 AM
Chair Katharine Gage
Invitees
Required
Optional
FYI
Location The Newseum
Conference Center
Washington, DC

Ct: Patrick Hogan (b) (6) Privacy
Anna Motschenbacher (b) (6) Privacy

Advance Ct: Sarah Dale (b) (6) Privacy

To access the conference facilities, The Administrator must use the 6th street entrance at the Newseum (just around the corner from the main entrance on Pennsylvania Ave.)

01268-EPA-143

Katharine Gage/DC/USEPA/US
05/14/2009 05:47 PM

To
cc
bcc
Subject Interview: WNYC "The Takeaway" with John Hockenberry and Todd Zwillich

Meeting

Date 05/15/2009
Time 06:45:00 AM to 07:17:00 AM
Chair Katharine Gage
Invitees
Required
Optional
FYI
Location By Phone

Ct: Brendan Gilfillan (Office: 202-564-2081/Cell: (b) (6) Privacy

Call in #: (b) (6) Privacy

The Administrator will call in to (b) (6) Privacy at 6:45a.m. to test the line, then dial back in for the interview at 7:00a.m.

The topics include:
- Endangerment finding/potential regulation of greenhouse gases
- Cap and Trade legislation
- Other plans/priorities for EPA

01268-EPA-150

Allyn Brooks-LaSure/DC/USEPA/US

05/18/2009 10:40 PM

To "Richard Windsor", "Lisa Heinzerling"
cc
bcc
Subject Fw: Background Briefing on Auto Emissions and Efficiency Standards

MABL.

M. Allyn Brooks-LaSure
U.S. Environmental Protection Agency
Cell: 202-631-0415

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 05/18/2009 09:22 PM AST
To: Allyn Brooks-LaSure
Subject: Background Briefing on Auto Emissions and Efficiency Standards

THE WHITE HOUSE

Office of the Press Secretary

Embargoed For Release
Until 900 P.M. EDT
Monday, May 18, 2009

PRESS BACKGROUND BRIEFING
ON WHITE HOUSE ANNOUNCEMENT ON AUTO EMMISSIONS
AND EFFICIENCY STANDARDS
BY SENIOR ADMINISTRATION OFFICIAL

Via Conference Call

7:18 P.M. EDT

MR. LaBOLT: Hi, this is Ben LaBolt of the White House press office. Thanks for joining this evening's background briefing on tomorrow's announcement on fuel efficiency (inaudible) emission standards for autos. This call is not for broadcast and can be sourced only to a senior administration official; also embargoed until 9:00 p.m. this evening.

I'd like to turn the call over to your senior administration official.

SENIOR ADMINISTRATION OFFICIAL: Thank you. Tomorrow the administration is proposing tough new fuel economy standards and the first ever greenhouse gas pollution standards for cars. The program will begin in model year 2012. By 2016 the fleet average will be 35.5 miles per gallon, that is four years earlier than the CAFE law requires. The CAFE law required a 35 miles per gallon in model year 2016.

This is an average 5 percent year in increased fuel efficiency. In model year '09, the current model year, the average fuel efficiency is 25 miles per gallon. More efficient cars mean savings to consumers at the pump. The projected oil savings of this program over the life of this program is 1.8 billion barrels of oil. The program is also projected to achieve reductions of 900 million metric tons of greenhouse gas emissions under the life of the program. That is equivalent to taking 177 million cars off the road or shutting down 194 coal plants.

This proposed national policy weaves together the legal authority and the Environmental Protection Agency pursuant to the Supreme Court decision in Mass versus EPA, DOT's new CAFE law, while respecting California's authorities under the Clean Air Act.

(Inaudible) of the agencies and the White House worked closely with California and all of the car companies in developing this historic proposal. It's important to note that all companies will be required to make more efficient and cleaner cars. We do that by setting – by proposing individual standards for each class size of vehicle and then a fleet average for each company. This has the effect of preserving consumer choice -- you can continue to buy whatever size car you like, all cars get cleaner.

There has been some questions about the California waiver. EPA has not made a final decision on the reconsideration of the California; that is still under consideration. If EPA does grant the waiver, California has agreed that they will defer to the proposed national standard that we are announcing tomorrow.

With that, happy to take any questions.

Q Good evening. Two quick questions. Number one, how does the measurement system differ from the current standards, or footprint-based system of CAFE? And secondly, would California be able to set a tougher standard under the outline that you've envisioned here, than the federal standards would be under this plan?

SENIOR ADMINISTRATION OFFICIAL: Right. So the attributes are the foot-based standard that was embodied in the CAFE law, it's being used for the greenhouse gases, too. It would use the same methodology, the same sort of mechanism in this proposal.

California is agreeing through model year 2016 -- which is what this proposed program, national policy encompasses -- that they will defer to the national policy, not set a separate standard.

Q What is the administration assuming will be the price of gasoline in 2016? (Inaudible) and those who say that the recent slowdown (inaudible) as gas prices have fluctuated (inaudible).

SENIOR ADMINISTRATION OFFICIAL: The models that were used by EPA and DOT assume a price -- a price per gallon from AEO, the Energy Information Agency -- no, AEO. And that, remember they use in model year 2016 $3.50 a gallon, so that was the number used by the agency.

Q Three dollars and 50 or 15?

SENIOR ADMINISTRATION OFFICIAL: Fifty, 5-0.

Q Okay. And then on the second question?

SENIOR ADMINISTRATION OFFICIAL: I'm sorry, what was the second question?

Q The second question was how do you respond to those who say that the slowdown in sales (inaudible) compact cars (inaudible) large SUVs (inaudible).

SENIOR ADMINISTRATION OFFICIAL: I think what's very attractive about this proposed national policy is that consumers can maintain their choice, but they will be more fuel efficient cars just because every single category of cars has to become more efficient.

As you well know, Steve, under the old CAFE program it was a fleet average and so you could offset your less fuel efficient cars by making more fuel efficient cars. What this says is it requires in each class size of vehicle that there are improvements made.

Q Thanks for taking the time. Just a couple of quick questions. What's the estimated cost to the auto industry of the proposed regulation? And what are the fleet light averages for both light duty trucks and passenger cars in 2016?

SENIOR ADMINISTRATION OFFICIAL: The average cost per vehicle is -- of the national policies is $600 above the CAFE cost. So CAFE was estimated in 2016 to have an average vehicle cost of about $700, and this national policy has an incremental cost of $600.

There are immediate savings, obviously, to the consumer because of the fuel savings -- the cars that are fuel efficient and so for people who buy their cars on time, you know, over a 60-month loan, which is about 70 percent of the American people, on a month-to-basis it may end up being a wash in terms of the slight increase in the price of the car, but that is offset by the lower gasoline used.

You asked for the specifics on cars and trucks. In 2016 it's 39 miles per gallon for cars and 30 miles per gallon for trucks. Today it is 27.5 miles per gallon for cars and 23.1 miles per gallon for trucks.

Q And then just lastly, don't you think that the regulation will sort of dramatically change, sort of, the makeup of vehicles -- won't we move toward more smaller vehichles with, you know, more efficient engines, smaller engines? Don't you see the fleet having a dramatically different look by 2016?

SENIOR ADMINISTRATION OFFICIAL: We don't. We think that companies can preserve the options that consumers have. I think in terms of the efficiencies of the engines, in terms of the air conditioning systems, making those more efficient, yes, you will see some changes. But there is some available technology, some off-the-shelf technology that will allow them to make some progress without dramatically changing the mix of the fleet.

Q Can you please just sort of help me, walk me through here what this means for California. What exactly are they giving up by signing on to this?

SENIOR ADMINISTRATION OFFICIAL: Well, there's one program and so California doesn't have to develop their own compliance and enforcement program; that will be handled through the national program. The number that California had sought or is seeking in the waiver for 2016 is 35.5 miles per gallon, and so that is what this is proposing to do. The ramp up to the 35.5 miles per gallon is a slightly different path than what California had proposed, but in terms of greenhouse gas emissions, because it was a national program -- which California would not have been – the total amount of greenhouse gas reductions is greater than what a California program would have gotten, even with the 14 states who they said they would join the

California program.

Q Specifically what's different about the ramp up?

SENIOR ADMINISTRATION OFFICIAL: It (inaudible) a little bit more slowly in the initial years and then it -- I think it catches up -- does it catch up in 2015?

SENIOR ADMINISTRATION OFFICIAL: Yes.

SENIOR ADMINISTRATION OFFICIAL: It catches up in model year 2015. So it starts out a little bit more gradual, and then was important to give the car companies some ability to making investments in the adjustment. That was one of the things that was important to the car company. And so we would get to the same environment place in terms of fuel efficiency. And as I said, we get to an even better place in terms of greenhouse gas reductions because, again, it's the entire country, not just California and the states that had said they would join with California.

Q And just one last quick thing. What happens to this proposal if the California waiver is denied by the EPA?

SENIOR ADMINISTRATION OFFICIAL: What will happen tomorrow is EPA and the DOT will issue a notice of intent to propose these standards, so that will become publicly available. But car companies in California have also submitted a letter saying that if the proposal goes forward as they have been told, then they are prepared to move forward to do whatever they need to do. In the case of California, defer (inaudible) or compliance with their waiver if it were granted.

We're not -- it's up to EPA to decide what they need to do. This proposal goes forward regardless.

Q Thank you. A few things, if I may. I want to follow up on a question that was mentioned, brought up just a few moments ago, and that is the issue of motivation. The automakers have long complained, and many people support this position, that unless the government actually takes a more direct role in motivating consumers -- or penalizing, if you prefer -- through higher gas taxes or such -- that basically it is simply offloading responsibility for driving consumers to better fuel economy, and I wonder how you would react to that, because there doesn't seem to be anything here that essentially says the government will really help push consumers to shift to a higher (inaudible), you've just got to hope the fuel prices will help do it for you.

SENIOR ADMINISTRATION OFFICIAL: No, we're not hoping that fuel prices do it. What the government is doing is proposing the toughest ever fuel efficiency and the first ever greenhouse gas emissions standards. I mean, it is -- these are historic levels and historic increases in fuel efficiency. And, you know, we worked closely with the companies to understand what they needed to be able to meet these kind of tough standards. What they said is they needed the certainty and predictability, they needed the government to say we want you and we will require you to be in a particular place by 2016. And we're doing that in a way that preserves consumer choice.

And so I think we've ended up in sort of the best of all words, with the environmental gains that California thought was important, that the administration thought were important, and at the same time giving the companies the certainty that they need so they will make the investments -- you know, when this proposal is finalized they'll be required to make the investments to meet these standards.

Q I hear what you're saying and I understand that and I think you do address a number of the issues. But there is that one issue which time and again the industry continues to talk about, and a lot of critics of the CAFE standard -- including people who are on both sides of the issue, those who would like better fuel economy and those who either oppose -- you know, don't believe in greenhouse warming, global warming. There seems to be a general consensus that this is a process that says: Automakers, go make fuel efficient cars, but unlike the rest of the world -- particularly Europe or Japan -- the government is not going to do anything proactively to try to encourage consumers to make the switch to more fuel efficient cars. You're saying "go build it," but you're not doing anything that I can see that says "we're going to help motivate the consumers, we're just going to try to give them a little bit better mileage if they still stick with their big trucks."

SENIOR ADMINISTRATION OFFICIAL: Well, first of all, it's not "a little bit better." I mean, going from fuel efficiency of 25.1 miles per gallon today to 35.5 in 2016 is not, you know, insignificant. It is on average a 5 percent increase per year starting in 2012 with the program.

And secondly, you know, we are doing something, which is the government is saying to consumers: You're going to get and you're going to be buying more fuel efficient cars. And I think that is very, very significant.

Q Thank you.

SENIOR ADMINISTRATION OFFICIAL: First, I'd like to officially ask that this not be (inaudible) -- that is fairly well known already (inaudible).

MR. LaBOLT: As I said at the beginning of the call, this is a background briefing, sourced to a senior administration official.

Q (Inaudible) what did you say the California standard would be if it were imposed (inaudible) point five is the federal standard?

SENIOR ADMINISTRATION OFFICIAL: Correct, that's what California's waiver -- that was the standard in the California waiver. California was looking for a greenhouse gas standard, but when you (inaudible) the things back and forth it's effectively 35.5 miles per gallon in 2016.

Q The same mileage equivalent at the same time, but the curve is different, is what you're saying.

SENIOR ADMINISTRATION OFFICIAL: It is slightly adjusted in the early years to provide the car companies with some opportunity to make the investments that they needed to meet the 35.5 miles per gallon.

Q And again, to be clear, do I understand this right, that this is a proposal and it needs to go through the normal rulemaking process and therefore (inaudible) a lot of the parties that have agreed in principle to compromise have second thoughts about this?

SENIOR ADMINISTRATION OFFICIAL: It does go through the normal rulemaking process. There are some differences here. It is a joint rulemaking -- (inaudible) and DOT -- many of you know I served in the government in another administration and it eight years we never did a joint rulemaking. I think that is fairly significant because, again, we're weaving together the EPA and the DOT authorities. Also there are intervening pieces to this, as people are aware. There are pending lawsuits. There's -- you know, California.

And so all of the parties to the discussions that we've been having with EPA, DOT, the companies in California, have everyone moving forward together in terms of making this proposal. And so, you know, there is notice and comment, but I think that there is a commitment from -- I think it is significant that there is a commitment from the companies and California to support a proposal.

Q I was wondering if you could clarify -- you could spell out the individual car and truck standards for each year in 2012 and 2016. Also I'd like to know if this (inaudible) agreement between the car companies and the administration and California grew out of talks at the Aspen Institute that occurred earlier this year.

SENIOR ADMINISTRATION OFFICIAL: Let me answer your second question first. Obviously administration officials were aware of those conversations.

I didn't -- I don't think any current administration official actually participated in the Aspen Institute. But it was certainly something we were familiar with and I think it helped to give us sort of a framework to think about how we would proceed. I think, you know, what intervened since Aspen is obviously the change in leadership in the federal government and this real willingness on the part of EPA and DOT to work together, to harmonize with the program so that you could get both the fuel efficiency standards and the first-ever greenhouse gas pollution.

The actual -- the numbers -- there are individual numbers for each class size for each company, and then there is a fleet number for each company. So I would -- that will all be displayed in the rulemaking.

Q Is there an individual car and truck goal for 2016?

SENIOR ADMINISTRATION OFFICIAL: Yes. For 2016 it's 39 miles per gallon for cars, and it is 30 miles per gallon for trucks. That's how you get the fleet average of 35.5, the proposed fleet average.

Q That's in 2016 and that would be the program after which California could impose its own rules?

SENIOR ADMINISTRATION OFFICIAL: The only way California can impose its own rules is through the waiver process. The waiver that's pending at EPA goes through model year 2016, so if California wanted to file another waiver that would obviously be up to them.

One thing I think I should make clear to people, the reason this national policy goes through model year 2016, is DOT is only allowed under the CAFE to work forward five years, right. So from today -- this proposal starts in 2012 through 2016, that's the five-year window, the (inaudible) model year from there.

MR. LaBOLT: Thanks, everyone, for joining the call. Again,

this is sourced to a senior administration official and it’s embargoed until 9:00 p.m.

END 7:38 P.M. EDT

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01268-EPA-154

Katharine Gage/DC/USEPA/US
05/21/2009 03:29 PM

To
cc
bcc
Subject Discussion with Senators re: Climate

Meeting

Date 06/09/2009
Time 12:00:00 PM to 12:45:00 PM
Chair Katharine Gage
Invitees
Required
Optional
FYI
Location S-116, Capitol Building, Foreign Relations Meeting Room
Ct: Arvin Ganesan, (b) (6) Privacy

PLEASE NOTE: If the Administrator is unable to attend this meeting, Gina McCarthy will attend in her place

01268-EPA-155

Katharine Gage/DC/USEPA/US
05/21/2009 04:43 PM

To
cc
bcc
Subject Call with Tod Stern, Special Envoy for Climate Change

Meeting

Date 05/22/2009
Time 04:00:00 PM to 04:15:00 PM
Chair Katharine Gage
Invitees
Required
Optional
FYI
Location Administrator's Office
Ct: Marjerie Jones, 2(b) (6) Privacy4

Administrator will call into: (b) (6) Privacy

01268-EPA-160

Scott Fulton/DC/USEPA/US
05/28/2009 09:01 AM

To windsor.richard
cc brooks-lashure.allyn
bcc
Subject Fw: Fw: Paris press briefing

Worth reading in prep for press work later today. See you soon.
Lisa Heinzerling

----- Original Message -----
From: Lisa Heinzerling
Sent: 05/28/2009 08:33 AM EDT
To: Scott Fulton
Subject: Re: Fw: Paris press briefing

For what it's worth (may be too late?), here are my reactions to the press materials:

(b) (5) Deliberative, (b)(5) Attorney Client Privilege

[redacted]

Let me know if I should put any of these ideas in a more user-friendly format (such as specific suggestions for language).

Thanks, Scott. I hope you're having a good trip.

Best,
Lisa

Scott Fulton	Just wanted to make sure you were in t...	05/28/2009 08:10:02 AM

From: Scott Fulton/DC/USEPA/US
To: heinzerling.lisa@epa.gov
Date: 05/28/2009 08:10 AM
Subject: Fw: Paris press briefing

Just wanted to make sure you were in the loop on these responses?
-----Forwarded by Scott Fulton/DC/USEPA/US on 05/28/2009 02:09PM -----

To: fulton.scott@epa.gov
From: Megan Cryan/DC/USEPA/US
Date: 05/28/2009 10:28AM
Subject: Fw: Paris press briefing

Adora Andy

----- Original Message -----
From: Adora Andy
Sent: 05/27/2009 09:38 PM EDT
To: "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>; Katharine Gage; "Megan Cryan" <cryan.megan@epa.gov>
Cc: Robert Goulding; "Marcus McClendon" <mcclendon.marcus@epa.gov>; "Eric Wachter" <wachter.eric@epa.gov>
Subject: Paris press briefing

Here is the LPJ press briefing for Thursday's booked interviews and Friday's gaggle.
Thanks all!

Betsaida Alcantara

----- Original Message -----
From: Betsaida Alcantara
Sent: 05/27/2009 06:36 PM EDT
To: Adora Andy
Subject: Re: Paris press briefing

updated

Betsaida Alcantara---05/27/2009 06:32:56 PM---[attachment "052709 - Paris Press Briefing.doc" deleted by Betsaida Alcantara/DC/USEPA/US]

From: Betsaida Alcantara/DC/USEPA/US

To: Adora Andy/DC/USEPA/US@EPA

Date: 05/27/2009 06:32 PM

Subject: Paris press briefing

[attachment "052709 - Paris Press Briefing.doc" deleted by Betsaida Alcantara/DC/USEPA/US]

[attachment "052709 - Paris Press Briefing.doc" deleted by Lisa Heinzerling/DC/USEPA/US]

01268-EPA-167

Diane Thompson/DC/USEPA/US
06/01/2009 03:40 PM

To Richard Windsor
cc
bcc
Subject Re: Lugar ltr for autopen

Sorry I missed you. [redacted] (b) (6) Privacy

****
Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

Richard Windsor Waiting for plane. Do you want me to... 06/01/2009 02:29:00 PM

From: Richard Windsor/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 06/01/2009 02:29 PM
Subject: Re: Lugar ltr for autopen

Waiting for plane. Do you want me to call?

Diane Thompson

----- Original Message -----
From: Diane Thompson
Sent: 06/01/2009 02:27 PM EDT
To: Richard Windsor
Subject: Re: Lugar ltr for autopen
got it, thanks and have a good trip. DT

****
Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

Richard Windsor [redacted] (b) (5) Deliberative 06/01/2009 02:23:47 PM

From: Richard Windsor/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 06/01/2009 02:23 PM
Subject: Re: Lugar ltr for autopen

[redacted] (b) (5) Deliberative

Diane Thompson

----- Original Message -----
From: Diane Thompson
Sent: 06/01/2009 02:01 PM EDT
To: Richard Windsor
Subject: Fw: Lugar ltr for autopen

(b) (5) Deliberative
. Let me know if you have edits.

The Honorable Richard Lugar
United States Senate
Washington, D.C. 20510

Dear Senator Lugar:

Thank you for your letter dated May 8, 2009, regarding the lifecycle greenhouse gas (GHG) emission analysis in the recently proposed Renewable Fuel Standard (RFS).

(b) (5) Deliberative

(b) (5) Deliberative

to be completed by the end of June; experts have at least one month to complete their review.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Patricia Haman in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2806.

Sincerely,

Lisa P. Jackson

****

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 06/01/2009 01:58 PM -----

From:	Stephanie Washington/DC/USEPA/US
To:	Diane Thompson/DC/USEPA/US@EPA
Date:	06/01/2009 12:47 PM
Subject:	Fw: Lugar word doc

FYI

Stephanie Washington
Assistant to the Chief of Staff

(202) 564-1048
washington.stephanie@epa.gov
----- Forwarded by Stephanie Washington/DC/USEPA/US on 06/01/2009 12:45 PM -----

From:	KevinJ Bailey/DC/USEPA/US
To:	Stephanie Washington/DC/USEPA/US@EPA
Date:	06/01/2009 12:44 PM
Subject:	Lugar word doc

Stephanie-

Here you go.

[attachment "AL-09-000-7002_Lugar.doc" deleted by Richard Windsor/DC/USEPA/US]

Kevin J. Bailey
Special Assistant
U.S. Environmental Protection Agency
Congressional and Intergovernmental Relations
office: 202.564.2998

01268-EPA-171

Daniel Gerasimowicz/DC/USEPA/US
06/12/2009 04:37 PM

To
cc
bcc
Subject Meeting with Members of the Health Effects Institute (HEI)

Meeting

Date 06/25/2009
Time 03:15:00 PM to 03:45:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Bullet Room

Ct: Nick Moustakas (b) (6) Personal Privacy

Staff:

Diane Thompson, Lisa Heinzerling (OA)

Lek Kadeli, Kevin Teichman, Stacey Katz, Gail Robarge (ORD)

Gina McCarthy, Beth Craig, Rob Brenner, Lydia Wegman, Joseph Somers (OAR)

John Larmett (OPA)

Attendees:

Ambassador Richard Celeste, President of Colorado College, former Ambassador to India, and Governor of Ohio

Dr. Warren Washington, Director of the Climate Change Research Section, National Center for Atmospheric Research; former Chair of the National Science Board

Daniel Greenbaum, President of the Health Effects Institute

Robert O'Keefe, Vice President of the Health Effects Institute

01268-EPA-173

Arvin Ganesan/DC/USEPA/US

06/13/2009 11:03 AM

To "Richard Windsor"
cc
bcc
Subject Monday providence event

Lisa,
On monday am, you'll be going to an event with sen sheldon whithouse and a bunch of local enviro groups. It is a short, informal event. (b) (5) Deliberative Of the topics below, which ones do you need background on? Ill be pushing the programs on all of them, but given that its the weekend, I wanted to try to prioritize.

Thx

(b) (5) Deliberative

01268-EPA-174

Arvin Ganesan/DC/USEPA/US

06/13/2009 11:43 AM

To Richard Windsor
cc
bcc
Subject Re: Monday providence event

(b) (5) Deliberative

Enjoy the weather. (b) (6) Privacy
Sent from my Blackberry Wireless Device
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/13/2009 11:41 AM EDT
To: Arvin Ganesan
Subject: Re: Monday providence event

Eh - nothing too meaty. No worries.
Arvin Ganesan

----- Original Message -----
From: Arvin Ganesan
Sent: 06/13/2009 11:03 AM EDT
To: Richard Windsor
Subject: Monday providence event

Lisa,
On monday am, you'll be going to an event with sen sheldon whithouse and a bunch of local enviro groups. It is a short, informal event. (b) (5) Deliberative Of the topics below, which ones do you need background on? Ill be pushing the programs on all of them, but given that its the weekend, I wanted to try to prioritize.

Thx

(b) (5) Deliberative

01268-EPA-179

Daniel Gerasimowicz/DC/USEPA/US
06/16/2009 02:36 PM

To
cc
bcc
Subject Meeting with Beverly Perry and Pepco Holdings Inc. to discuss Energy Efficiency and Smart Grid in DC

Meeting

Date 06/30/2009
Time 11:30:00 AM to 12:15:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Bullet Room

Ct: Neiri Reid (b) (6) Personal Privacy, noreid@pepcoholdings.com

Staff:
Gina McCarthy, Katrina Pielli (OAR)

Pepco Attendees:

Dave Velazquez, Exec VP of the Power Delivery Group
Doug Myers, Director of Supply Chain
Bill Gausman, Sr. VP of Asset Management and Planning
Beverly Perry, Sr. VP Government Affairs and Public Policy
Kenneth Parker, VP of Public Policy

Administration Attendees:

Ms. Heather Zichal - Deputy Assistant to the President for Energy and Climate Change, the White House

Mr. Jason Bordoff, Associate Director for Energy and Climate Change at the White House Council on Environmental Quality

Ms. Cathy Zoi, Assistant Secretary for Energy Efficiency an Renewable Energy, US Department of Energy

Ms. Laura Grossman, Department of Housing and Urban Development

01268-EPA-181

Scott Fulton/DC/USEPA/US
06/17/2009 07:39 AM

To "Diane Thompson", "Arvin Ganesan"
cc "Richard Windsor"
bcc
Subject Travel. Manana

Diane and Arvin - (b) (5) Deliberative, (b)(5) Attorney Client Privilege [redacted]

Thanks,
Scott

------Original Message------
To: Richard Windsor
Cc: Diane Thompson
Sent: Jun 17, 2009 7:21 AM
Subject: Fw: Briefing Materials for LPJ Meeting with Ambassador Cameron Hume (Fulton Attention Requested)

Howdy and good morning (Yawn) - I will still be out at the COOP when you meet with the Indonesian Ambassador. If you have a chance, you may want to scan the note from Mark Kasman below before the meeting.

(b) (5) Deliberative, (b)(5) Attorney Client Privilege [redacted]

What's your estimated TOA this morning?
Cheers, Scott

------Original Message------
From: Mark Kasman
To: Scott Fulton
Cc: Carla Veney
Cc: Wyatt Rockefeller
Cc: Michael Stahl
Cc: Neilima Senjalia
Cc: Katherine Buckley
Cc: Rakhi Kasat
Cc: Gary Waxmonsky
Sent: Jun 15, 2009 5:09 PM
Subject: Briefing Materials for LPJ Meeting with Ambassador Cameron Hume (Fulton Attention Requested)

Hi Scott,

Attached for your information are the briefing materials that we provided to Administrator Jackson for her

meeting on Wednesday with US Ambassador to Indonesia Cameron Hume. As we will not have an opportunity for a pre-brief, we would like to raise a few subtleties to your attention. These may merit some discussion with the Administrator in advance of the meeting.

(b) (5) Deliberative, (b)(5) Attorney Client Privilege

[redacted]

Feel free to contact us if we may provide you with any additional information.

Best regards, Mark

<< Hume LPJ briefing paper 061509 final 445pm.doc >>
<< Draft Indonesia Program Priorities 6-15-09 final.doc >>

Mark S. Kasman
Senior Advisor, Asia-Pacific
Office of International Affairs (2650R)
U.S. Environmental Protection Agency
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
TEL: 1-202-564-2024
FAX: 1-202-565-2411

01268-EPA-182

Arvin Ganesan/DC/USEPA/US

06/17/2009 07:44 AM

To Scott Fulton, Diane Thompson
cc Richard Windsor
bcc
Subject Re: Travel. Manana

[redacted] (b) (5) Deliberative, (b)(5) Attorney Client Privilege [redacted]

[redacted]

Sent from my Blackberry Wireless Device
Scott Fulton

----- Original Message -----
From: Scott Fulton
Sent: 06/17/2009 07:39 AM EDT
To: Diane Thompson; Arvin Ganesan
Cc: Richard Windsor
Subject: Travel. Manana

Diane and Arvin - [redacted] (b) (5) Deliberative, (b)(5) Attorney Client Privilege [redacted]

Thanks,
Scott

------Original Message------
To: Richard Windsor
Cc: Diane Thompson
Sent: Jun 17, 2009 7:21 AM
Subject: Fw: Briefing Materials for LPJ Meeting with Ambassador Cameron Hume (Fulton Attention Requested)

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[redacted] (b) (5) Deliberative, (b)(5) Attorney Client Privilege [redacted]

What's your estimated TOA this morning?
Cheers, Scott

------Original Message------
From: Mark Kasman
To: Scott Fulton

Cc: Carla Veney
Cc: Wyatt Rockefeller
Cc: Michael Stahl
Cc: Neilima Senjalia
Cc: Katherine Buckley
Cc: Rakhi Kasat
Cc: Gary Waxmonsky
Sent: Jun 15, 2009 5:09 PM
Subject: Briefing Materials for LPJ Meeting with Ambassador Cameron Hume (Fulton Attention Requested)

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(b) (5) Deliberative, (b)(5) Attorney Client Privilege

[redacted]

Feel free to contact us if we may provide you with any additional information.

Best regards, Mark

<< Hume LPJ briefing paper 061509 final 445pm.doc >>
<< Draft Indonesia Program Priorities 6-15-09 final.doc >>

Mark S. Kasman
Senior Advisor, Asia-Pacific
Office of International Affairs (2650R)
U.S. Environmental Protection Agency

1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
TEL: 1-202-564-2024
FAX: 1-202-565-2411

01268-EPA-183

Scott Fulton/DC/USEPA/US
06/17/2009 08:17 AM

To Richard Windsor
cc
bcc
Subject Re: Travel. Manana

Maybe this morning? [redacted] (b) (6) Privacy
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/17/2009 07:57 AM EDT
To: Scott Fulton
Subject: Re: Travel. Manana

Thx. No problem. [redacted] (b) (6) Privacy
. When is good? Lj
Scott Fulton

----- Original Message -----
From: Scott Fulton
Sent: 06/17/2009 07:39 AM EDT
To: Diane Thompson; Arvin Ganesan
Cc: Richard Windsor
Subject: Travel. Manana

Diane and Arvin - [redacted] (b) (5) Deliberative, (b)(5) Attorney Client Privilege

Thanks,
Scott

------Original Message------
To: Richard Windsor
Cc: Diane Thompson
Sent: Jun 17, 2009 7:21 AM
Subject: Fw: Briefing Materials for LPJ Meeting with Ambassador Cameron Hume (Fulton Attention Requested)

Howdy and good morning (Yawn) - I will still be out at the COOP when you meet with the Indonesian Ambassador. If you have a chance, you may want to scan the note from Mark Kasman below before the meeting.

[redacted] (b) (5) Deliberative, (b)(5) Attorney Client Privilege

What's your estimated TOA this morning?
Cheers, Scott

------Original Message------
From: Mark Kasman
To: Scott Fulton
Cc: Carla Veney
Cc: Wyatt Rockefeller
Cc: Michael Stahl
Cc: Neilima Senjalia
Cc: Katherine Buckley
Cc: Rakhi Kasat
Cc: Gary Waxmonsky
Sent: Jun 15, 2009 5:09 PM
Subject: Briefing Materials for LPJ Meeting with Ambassador Cameron Hume (Fulton Attention Requested)

Hi Scott,

Attached for your information are the briefing materials that we provided to Administrator Jackson for her meeting on Wednesday with US Ambassador to Indonesia Cameron Hume. As we will not have an opportunity for a pre-brief, we would like to raise a few subtleties to your attention. These may merit some discussion with the Administrator in advance of the meeting.

(b) (5) Deliberative, (b)(5) Attorney Client Privilege

[redacted]

[redacted]

[redacted]

Feel free to contact us if we may provide you with any additional information.

Best regards, Mark

<< Hume LPJ briefing paper 061509 final 445pm.doc >>
<< Draft Indonesia Program Priorities 6-15-09 final.doc >>

Mark S. Kasman
Senior Advisor, Asia-Pacific
Office of International Affairs (2650R)
U.S. Environmental Protection Agency
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
TEL: 1-202-564-2024
FAX: 1-202-565-2411

01268-EPA-189

Arvin Ganesan/DC/USEPA/US

06/23/2009 11:17 AM

To Richard Windsor, Michael Moats
cc Seth Oster, Allyn Brooks-LaSure, Adora Andy
bcc
Subject Re: DECISION Cuyahoga oped

[redacted]
Ex. 5 - Deliberative
[redacted]

[redacted]

Sent from my Blackberry Wireless Device
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/23/2009 11:09 AM EDT
To: Michael Moats
Cc: Seth Oster; Allyn Brooks-LaSure; Adora Andy; "Arvin Ganesan" <ganesan.arvin@epa.gov>
Subject: Re: DECISION Cuyahoga oped

[redacted]
Ex. 5 - Deliberative
[redacted]

Michael Moats

----- Original Message -----
From: Michael Moats
Sent: 06/22/2009 06:30 PM EDT
To: Richard Windsor
Cc: Seth Oster; Allyn Brooks-LaSure; Adora Andy
Subject: DECISION Cuyahoga oped

[redacted]
Ex. 5 - Deliberative
[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Stories:

http://blogs.usatoday.com/ondeadline/2009/06/river-that-once-caught-fire-now-teems-with-fish-.html

http://www.nytimes.com/2009/06/21/us/21river.html

Michael Moats
Speechwriter
US EPA | Office of the Administrator
Office: 202-564-1687
Mobile: 202-527-4436

01268-EPA-195

Seth Oster/DC/USEPA/US
06/23/2009 07:10 PM

To Richard Windsor
cc Adora Andy, Allyn Brooks-LaSure, Arvin Ganesan, Diane Thompson, Lisa Heinzerling, Marcia Mulkey
bcc
Subject Re: Statement Regarding "Muzzled" EPA Official

[redacted] Ex. 5 - Deliberative

[redacted]

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [redacted] Ex. 5 - Deliberative -... 06/23/2009 07:00:20 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Marcia Mulkey/DC/USEPA/US@EPA
Cc: Adora Andy/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 06/23/2009 07:00 PM
Subject: Re: Statement Regarding "Muzzled" EPA Official

[redacted] Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/23/2009 06:56 PM EDT
To: Richard Windsor; Diane Thompson; Lisa Heinzerling; Arvin Ganesan; Marcia Mulkey
Cc: Adora Andy; Allyn Brooks-LaSure
Subject: Statement Regarding "Muzzled" EPA Official

[redacted] Ex. 5 - Deliberative

[redacted] Ex. 5 - Deliberative

[redacted]
Ex. 5 - Deliberative

[redacted]

Seth

This Administration and this EPA Administrator are fully committed to openness, transparency and science-based decision making. These principles were reflected throughout the development of the proposed Endangerment finding, a process in which a broad array of voices were heard and an inter agency review was conducted. In this instance, certain opinions were expressed by an individual who is not a scientist and was not part of the working group dealing with this issue. Nevertheless, his manager allowed those views to be heard and considered both inside and outside the EPA and presented at conferences and at an agency seminar. His views were consistently found not to be based in science.

Seth Oster
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(202) 564-1918
oster.seth@epa.gov

01268-EPA-196

Seth Oster/DC/USEPA/US
06/23/2009 07:28 PM

To Richard Windsor
cc
bcc
Subject Re: Statement Regarding "Muzzled" EPA Official

[redacted] Ex. 5 - Deliberative

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/23/2009 07:25 PM EDT
To: Seth Oster
Subject: Re: Statement Regarding "Muzzled" EPA Official

[redacted] Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/23/2009 07:10 PM EDT
To: Richard Windsor
Cc: Adora Andy; Allyn Brooks-LaSure; Arvin Ganesan; Diane Thompson; Lisa Heinzerling; Marcia Mulkey
Subject: Re: Statement Regarding "Muzzled" EPA Official

[redacted] Ex. 5 - Deliberative

[redacted]

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [redacted] Ex. 5 - Deliberative 06/23/2009 07:00:20 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Marcia Mulkey/DC/USEPA/US@EPA
Cc: Adora Andy/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 06/23/2009 07:00 PM
Subject: Re: Statement Regarding "Muzzled" EPA Official

[redacted] Ex. 5 - Deliberative

Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/23/2009 06:56 PM EDT
To: Richard Windsor; Diane Thompson; Lisa Heinzerling; Arvin Ganesan; Marcia Mulkey
Cc: Adora Andy; Allyn Brooks-LaSure
Subject: Statement Regarding "Muzzled" EPA Official

Ex. 5 - Deliberative

Seth

This Administration and this EPA Administrator are fully committed to openness, transparency and science-based decision making. These principles were reflected throughout the development of the proposed Endangerment finding, a process in which a broad array of voices were heard and an inter agency review was conducted. In this instance, certain opinions were expressed by an individual who is not a scientist and was not part of the working group dealing with this issue. Nevertheless, his manager allowed those views to be heard and considered both inside and outside the EPA and presented at conferences and at an agency seminar. His views were consistently found not to be based in science.

Seth Oster
Associate Administrator
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01268-EPA-198

Scott Fulton/DC/USEPA/US
06/24/2009 08:40 AM

To Bob Sussman, Richard Windsor
cc Charles Imohiosen, Diane Thompson, "Lisa Heinzerling"
bcc
Subject Re: supreme ct CWA decision/ 11th Circuit decision on water transfers

(b) (5) Deliberative, (b) (5) Attorney Client

Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 06/24/2009 08:19 AM EDT
To: Richard Windsor
Cc: Charles Imohiosen; Diane Thompson; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; Scott Fulton
Subject: Re: supreme ct CWA decision/ 11th Circuit decision on water transfers

(b) (5) Deliberative, (b) (5) Attorney Client

Will talk to lisa.

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

Richard Windsor Thanks Bob. (b) (5) Deliberative, (b) (5) 06/24/2009 07:48:01 AM

From: Richard Windsor/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA
Cc: Charles Imohiosen/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>
Date: 06/24/2009 07:48 AM
Subject: Re: supreme ct CWA decision/ 11th Circuit decision on water transfers

Thanks Bob. (b) (5) Deliberative, (b) (5) Attorney Client

Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 06/23/2009 07:59 PM EDT
To: Richard Windsor
Cc: Charles Imohiosen; Scott Fulton; Diane Thompson
Subject: Re: supreme ct CWA decision/ 11th Circuit decision on water transfers

Lisa -- (b) (5) Deliberative, (b) (5) Attorney Client

(b) (5) Deliberative, (b) (5) Attorney Client

[redacted]

[redacted]

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

Bob Sussman (b) (5) Deliberative, (b) (5) Attorney Client 06/23/2009 08:18:31 AM

From: Bob Sussman/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Scott Fulton/DC/USEPA/US@EPA, Charles Imohiosen/DC/USEPA/US@EPA
Date: 06/23/2009 08:18 AM
Subject: supreme ct CWA decision

wanted you to see this -- (b) (5) Deliberative, (b) (5) Attorney Client

[redacted]

Activists Seek EPA 'Fixes' To Limit Effect Of High Court Mine Waste Ruling

Environmentalists are urging the Obama EPA to rescind a Bush-era memo that the Supreme Court relied on in its just-issued decision granting EPA and the Army Corps of Engineers deference to categorize mining tailings and other pollutants as "fill material" exempt from strict discharge limits under the Clean Water Act (CWA).

They are also urging EPA to veto the CWA section 404 "dredge and fill" permit for the mining project in question and rescind a pivotal Bush administration rulemaking that they say expanded the definition of fill material.

The court's decision could also provide new momentum for a bill introduced by Rep. Frank Pallone (D-NJ) that would overturn the Bush administration's definition of fill material and effectively subject mining tailings and other pollutants "primarily to dispose of waste" to EPA discharge limits, the activists say.

The high court ruled 6-3 June 22 in *Coeur Alaska v. Southeast Alaska Conservation Council (SEACC)* that slurry discharges from an Alaska gold mine clearly fit the definition of "fill" material and therefore are to be solely permitted by the Corps under its section 404

authority governing “dredge-and-fill” operations because section 402 prohibits EPA from issuing permits for fill material.

The court rejected environmentalists' argument that section 404 contains an implicit exception requiring a section 402 permit when fill material discharges contain material that is subject to EPA's new source performance standards. Such an approach would create a “confusing division of permitting authority” that Congress did not intend, the court says.

The 6-3 decision further finds that the Corps acted in accordance with the law when issuing the section 404 permit to Coeur Alaska, relying on a May 2004 EPA memorandum because both the CWA and the agencies' regulations are ambiguous as to whether section 306 new source performance standards apply to section 404 permits.

Justice Anthony Kenndy wrote the majority opinion and was joined by Chief Justice John Roberts and Justices Clarence Thomas, Stephen Breyer, and Samuel Alito. Justice Antonin Scalia concurred with the judgment but only partially concurred with the reasoning. Justice Ruth Bader Ginsburg wrote the dissenting opinion, joined by Justices John Paul Stevens and David Souter.

In response to the ruling, environmentalists are urging the Obama administration to quickly rescind the 2004 Bush administration memo that gave preeminence to the Corps' section 404 permit and issue a new interpretation of the regulations to require the strict discharge requirements for mining tailings at the so-called Kensington mine site. Because the high court merely granted deference to an agency interpretation, the activists argue, the decision would allow the Obama EPA to quickly repeal the Bush administration's stance and limit the precedent set by the ruling.

But the agency has other options as well. EPA should veto the mine's “dredge and fill” permit under section 404 of the CWA because “any discharge that's going to kill all the fish in a lake has an 'unacceptable adverse impact' on its face,” Earthjustice attorney Tom Waldo said on a June 22 conference call with reporters.

Environmentalists are also urging the Obama administration to issue a new regulatory definition of “fill material,” which they say was broadened by the Bush administration to pave the way for mountaintop coal mining projects but was stretched even further for the froth-flotation mill discharges from the Alaska gold mine.

Although the activists say the ruling could provoke a response from Congress, they admit a legislative fix would take longer and is more difficult.

The Obama administration “has the ability to act more quickly,” Earthjustice senior attorney Joan Mulhern said on the conference call. However, Mulhern noted Pallone's bill has over 150 cosponsors in the House, a sign of significant support.

Before the Supreme Court, environmentalists argued that EPA new source performance standards under section 306 should apply to the slurry discharges, which would subject the

releases to a zero-discharge standard, requiring technology controls and a section 402 permit. But the mining company and the federal government countered that section 404 grants the Corps authority to determine whether to issue a permit allowing the slurry discharge without regard to the section 306 standard.

Industry and the federal government relied in part on a 2004 memorandum from Diane Regas, then-head of EPA's Wetlands, Oceans & Watersheds Office, to a key official in EPA Region X overseeing CWA permitting issues at the gold mine. Because the mining tailings were regulated under a section 404 permit, "the regulatory regime applicable to discharges under section 402, including effluent limitations guidelines and standards, such as those applicable to gold ore mining . . . do not apply," Regas wrote.

Environmentalists argued the memorandum is not entitled to deference because it contradicts the agencies' published statements and prior practice. But the court rejects this contention, saying SEACC's arguments are not convincing.

Although the memo, as an internal document, does not merit full deference under the Supreme Court's holdings in *Chevron v. Natural Resources Defense Council* , "the Court defers to it because it is not 'plainly erroneous or inconsistent with the regulations[s]," the just-issued ruling says, going on to outline several factors that inform this conclusion. These include the memo's limited application to closed bodies of water, which guards against the possibility of evasion of the section 306 new source performance standards, the court says.

Chevron sets forth the legal test for determining whether to grant deference to a government agency's interpretation of its own statutory mandate, and Scalia in his concurrence says the court's deference to the Regas memo should be considered *Chevron* deference.

The only reason the court is not calling it *Chevron* deference is because of the high court's 2001 "misguided opinion" in *United States v. Mead Corp.* , which held that *Chevron* deference generally only applies to notice-and-comment rulemakings. *Mead* 's "incomprehensible criteria for *Chevron* deference have produced so much confusion in the lower courts that there now has appeared the phenomenon of *Chevron* avoidance . . . ," Scalia says. Scalia favors overruling *Mead* , but failing that, is "pleased to join an opinion that effectively ignores it."

The dissent echoes environmentalists' concerns that the ruling could lead to section 404 permits authorizing discharges of other solids that are now restricted by EPA standards -- a position the majority dismisses by saying those "extreme instances" are not present in the case and if they are to arise, environmentalists can challenge those permits.

And Breyer in his opinion concurring with the majority says he recognizes the danger Ginsburg warns against, "namely that '[w]hole categories of regulated industries' might 'gain immunity from a variety of pollution-control standards.'" But he says there are safeguards against that occurring, including EPA's ability to veto section 404 permits and the fact EPA "has never suggested that it would interpret the regulations so as to turn section 404 into a loophole, permitting evasion of a 'performance standard' simply because a polluter

discharges enough pollutant to raise the bottom elevation of the body of water."

6222009_fixes
Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

01268-EPA-200

Seth Oster/DC/USEPA/US
06/24/2009 12:46 PM

To Richard Windsor, Diane Thompson, Lisa Heinzerling, Marcia Mulkey, Bob Sussman, Arvin Ganesan, Scott Fulton
cc Allyn Brooks-LaSure, Adora Andy
bcc
Subject BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

[redacted] Ex. 5 - Deliberative

[redacted]

[redacted]

Seth

Competitive Enterprise Institute contact: Audrey Mullen at 703-548-1160
www.cei.org

EPA Suppresses Internal Global Warming Study

CEI Calls for Agency to Release Concealed Report

Washington, D.C. -- The Competitive Enterprise Institute today charged that a senior official of the U.S. Environment Protection Agency actively suppressed a scientific analysis of climate change because of political pressure to support the Administration's policy agenda of regulating carbon dioxide.

As part of a just-ended public comment period, CEI submitted a set of four EPA emails, dated March 12-17, 2009, which indicate that a significant internal critique of the agency's global warming position was put under wraps and concealed.

The study the emails refer to, which ran counter to the administration's views on carbon dioxide and climate change, was kept from circulating within the agency, was never disclosed to the public, and was not added to the body of materials relevant to EPA's current "endangerment" proceeding. The emails further show that the study was treated in this manner not because of any problem with its quality, but for political reasons.

The emails may be seen here: http://cei.org/cei_files/fm/active/0/Endangerment%20Comments%206-23-09.pdf

"This suppression of valid science for political reasons is beyond belief," said CEI General Counsel Sam Kazman. "EPA's conduct is even more outlandish because it flies in the face of the President's widely-touted claim that 'the days of science taking a back seat to ideology are over.'"

CEI's filing requests that EPA make the suppressed study public, place it into the endangerment docket, and extend the comment period to allow public response to the new information. CEI is also requesting that EPA publicly declare that it will engage in no reprisals against the study's author, a senior analyst who has worked at EPA for over 35 years.

CEI is a non-profit, non-partisan public policy group dedicated to the principles of free enterprise and limited government. For more information about CEI, please visit our website at www.cei.org.

-30-

Audrey Mullen
Advocacy Ink
815 King Street – Suite 302
Alexandria, VA 22314
Ph. 703-548-1160
Cell 202-270-2772

www.advocacyink.com

01268-EPA-201

Seth Oster/DC/USEPA/US
06/24/2009 01:13 PM

To Richard Windsor
cc
bcc
Subject Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

Agreed.

[redacted] Ex. 5 - Deliberative

[redacted]

[redacted]

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor (b) [redacted] 06/24/2009 12:54:20 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 12:54 PM
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

[redacted] Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 12:46 PM EDT
To: Richard Windsor; Diane Thompson; Lisa Heinzerling; Marcia Mulkey; Bob Sussman; Arvin Ganesan; Scott Fulton
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

[redacted] Ex. 5 - Deliberative

[redacted]

[redacted]

Ex. 5 - Deliberative

Seth

Competitive Enterprise Institute contact: Audrey Mullen at 703-548-1160

www.cei.org

EPA Suppresses Internal Global Warming Study

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CEI's filing requests that EPA make the suppressed study public, place it into the endangerment docket, and extend the comment period to allow public response to the new information. CEI is also requesting that EPA publicly declare that it will engage in no reprisals against the study's author, a senior analyst who has worked at EPA for over 35 years.

CEI is a non-profit, non-partisan public policy group dedicated to the principles of free enterprise and limited government. For more information about CEI, please visit our website at www.cei.org.

-30-

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Ph. 703-548-1160
Cell 202-270-2772

www.advocacyink.com

01268-EPA-202

Scott Fulton/DC/USEPA/US
06/24/2009 01:25 PM

To Richard Windsor
cc
bcc
Subject Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

[redacted] Ex. 5 - Deliberative

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/24/2009 12:58 PM EDT
To: Seth Oster; Diane Thompson; Lisa Heinzerling; Marcia Mulkey; Bob Sussman; Arvin Ganesan; Scott Fulton
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

[redacted] Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 12:46 PM EDT
To: Richard Windsor; Diane Thompson; Lisa Heinzerling; Marcia Mulkey; Bob Sussman; Arvin Ganesan; Scott Fulton
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

[redacted] Ex. 5 - Deliberative

[redacted]

[redacted]

Seth

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-30-

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Cell 202-270-2772

www.advocacyink.com

01268-EPA-203

Scott Fulton/DC/USEPA/US
06/24/2009 02:12 PM

To Richard Windsor
cc
bcc
Subject Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

P.s. [redacted] Ex. 5 - Deliberative, Attorney/Client

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/24/2009 02:00 PM EDT
To: Scott Fulton
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

Scott Fulton

----- Original Message -----
From: Scott Fulton
Sent: 06/24/2009 01:25 PM EDT
To: Richard Windsor
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/24/2009 12:58 PM EDT
To: Seth Oster; Diane Thompson; Lisa Heinzerling; Marcia Mulkey; Bob Sussman; Arvin Ganesan; Scott Fulton
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 12:46 PM EDT
To: Richard Windsor; Diane Thompson; Lisa Heinzerling; Marcia Mulkey; Bob Sussman; Arvin Ganesan; Scott Fulton
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

01268-EPA-204

Scott Fulton/DC/USEPA/US
06/24/2009 03:03 PM

To Richard Windsor
cc
bcc
Subject Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

[redacted] Ex. 5 - Deliberative, Attorney/Client

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/24/2009 02:00 PM EDT
To: Scott Fulton
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

Scott Fulton

----- Original Message -----
From: Scott Fulton
Sent: 06/24/2009 01:25 PM EDT
To: Richard Windsor
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/24/2009 12:58 PM EDT
To: Seth Oster; Diane Thompson; Lisa Heinzerling; Marcia Mulkey; Bob Sussman; Arvin Ganesan; Scott Fulton
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: Re: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 12:46 PM EDT
To: Richard Windsor; Diane Thompson; Lisa Heinzerling; Marcia Mulkey; Bob Sussman; Arvin Ganesan; Scott Fulton
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: BREAKING: EPA Suppresses Internal Global Warming Study; CEI Calls for Agency to Release Concealed Report

01268-EPA-205

Seth Oster/DC/USEPA/US
06/24/2009 04:02 PM

To Diane Thompson, Richard Windsor, Marcia Mulkey
cc Adora Andy, Allyn Brooks-LaSure, Bob Sussman, Lisa Heinzerling
bcc
Subject FINAL Statement on Endangerment Issue

Below is the final statement that is now going out.

Lisa -- [redacted] (b) (5) Deliberative

[redacted]

Seth

This Administration and this EPA Administrator are fully committed to openness, transparency and science-based decision making. These principles were reflected throughout the development of the proposed Endangerment finding, a process in which a broad array of voices were heard and an inter agency review was conducted. In this instance, certain opinions were expressed by an individual who is not a scientist and was not part of the working group dealing with this issue. Nevertheless, several of the opinions and ideas proposed by this individual were submitted to those responsible for developing the proposed endangerment finding. Additionally, his manager allowed his general views on the subject of climate change to be heard and considered inside and outside the EPA and presented at conferences and at an agency seminar. The individual was also granted a request to join a committee that organizes an ongoing climate seminar series, open to both agency and outside experts, where he has been able to invite speakers with a full range of views on climate science. The claims that his opinions were not considered or studied are entirely false.

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

01268-EPA-206

Seth Oster/DC/USEPA/US
06/24/2009 05:13 PM

To Richard Windsor
cc
bcc
Subject Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

[redacted]

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [redacted] Ex. 5 - Deliberative 06/24/2009 04:26:12 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 04:26 PM
Subject: Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 04:02 PM EDT
To: Diane Thompson; Richard Windsor; Marcia Mulkey
Cc: Adora Andy; Allyn Brooks-LaSure; Bob Sussman; Lisa Heinzerling
Subject: FINAL Statement on Endangerment Issue

Below is the final statement that is now going out.

Lisa -- [redacted] Ex. 5 - Deliberative

[redacted] Ex. 5 - Deliberative

Seth

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Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

01268-EPA-207

Seth Oster/DC/USEPA/US
06/24/2009 10:56 PM

To Richard Windsor
cc
bcc
Subject Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [redacted] Ex. 5 - Deliberative 06/24/2009 07:51:20 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 07:51 PM
Subject: Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 05:13 PM EDT
To: Richard Windsor
Subject: Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

[redacted]

[redacted]

[redacted]

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [Ex. 5 - Deliberative] 06/24/2009 04:26:12 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 04:26 PM
Subject: Re: FINAL Statement on Endangerment Issue

[Ex. 5 - Deliberative]

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 04:02 PM EDT
To: Diane Thompson; Richard Windsor; Marcia Mulkey
Cc: Adora Andy; Allyn Brooks-LaSure; Bob Sussman; Lisa Heinzerling
Subject: FINAL Statement on Endangerment Issue

Below is the final statement that is now going out.

Lisa -- [Ex. 5 - Deliberative]

[redacted]

Seth

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Seth Oster

Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

01268-EPA-208

Seth Oster/DC/USEPA/US
06/25/2009 08:03 AM

To Richard Windsor
cc
bcc
Subject Re: FINAL Statement on Endangerment Issue

Ex. 5 - Deliberative

[redacted]
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/25/2009 12:28 AM EDT
To: Seth Oster
Subject: Re: FINAL Statement on Endangerment Issue

Ex. 5 - Deliberative
Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 10:56 PM EDT
To: Richard Windsor
Subject: Re: FINAL Statement on Endangerment Issue

Ex. 5 - Deliberative
[redacted]

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor Ex. 5 - Deliberative 06/24/2009 07:51:20 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 07:51 PM
Subject: Re: FINAL Statement on Endangerment Issue

Ex. 5 - Deliberative
[redacted]

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 05:13 PM EDT

To: Richard Windsor
Subject: Re: FINAL Statement on Endangerment Issue

Ex. 5 - Deliberative

[redacted]

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor Ex. 5 - Deliberative 06/24/2009 04:26:12 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 04:26 PM
Subject: Re: FINAL Statement on Endangerment Issue

Ex. 5 - Deliberative

[redacted]

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 04:02 PM EDT
To: Diane Thompson; Richard Windsor; Marcia Mulkey
Cc: Adora Andy; Allyn Brooks-LaSure; Bob Sussman; Lisa Heinzerling
Subject: FINAL Statement on Endangerment Issue

Below is the final statement that is now going out.

Lisa -- Ex. 5 - Deliberative

[redacted]

Seth

This Administration and this EPA Administrator are fully committed to openness, transparency and science-based decision making. These principles were reflected throughout the development of the proposed Endangerment finding, a process in which a broad array of voices were heard and an inter agency review was conducted. In this instance, certain opinions were expressed by an individual who is not a scientist and was not part of the working group dealing with this issue. Nevertheless, several of the opinions and ideas proposed by this individual were submitted to those responsible for developing the proposed endangerment finding. Additionally, his manager allowed his general views on the subject of climate change to be heard and considered inside and outside the EPA and presented at conferences and at an agency seminar. The individual was also granted a request to join a committee that organizes an ongoing climate seminar series, open to both agency and outside experts, where he has been able to invite speakers with a full range of views on climate science. The claims that his opinions were not considered or studied are entirely false.

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

01268-EPA-209

Seth Oster/DC/USEPA/US
06/25/2009 08:09 AM

To Richard Windsor
cc
bcc
Subject Re: FINAL Statement on Endangerment Issue

Will do first thing.
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/25/2009 08:08 AM EDT
To: Seth Oster
Subject: Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/25/2009 08:03 AM EDT
To: Richard Windsor
Subject: Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

[redacted]
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/25/2009 12:28 AM EDT
To: Seth Oster
Subject: Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative
Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 10:56 PM EDT
To: Richard Windsor
Subject: Re: FINAL Statement on Endangerment Issue

[redacted] Ex. 5 - Deliberative

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918

oster.seth@epa.gov

Richard Windsor [Ex. 5 - Deliberative] 06/24/2009 07:51:20 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 07:51 PM
Subject: Re: FINAL Statement on Endangerment Issue

[Ex. 5 - Deliberative]

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 05:13 PM EDT
To: Richard Windsor
Subject: Re: FINAL Statement on Endangerment Issue

[Ex. 5 - Deliberative]

[redacted]

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [Ex. 5 - Deliberative] 06/24/2009 04:26:12 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/24/2009 04:26 PM
Subject: Re: FINAL Statement on Endangerment Issue

[Ex. 5 - Deliberative]

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/24/2009 04:02 PM EDT
To: Diane Thompson; Richard Windsor; Marcia Mulkey
Cc: Adora Andy; Allyn Brooks-LaSure; Bob Sussman; Lisa Heinzerling
Subject: FINAL Statement on Endangerment Issue

Below is the final statement that is now going out.

Lisa -- [redacted] Ex. 5 - Deliberative

[redacted]

Seth

This Administration and this EPA Administrator are fully committed to openness, transparency and science-based decision making. These principles were reflected throughout the development of the proposed Endangerment finding, a process in which a broad array of voices were heard and an inter agency review was conducted. In this instance, certain opinions were expressed by an individual who is not a scientist and was not part of the working group dealing with this issue. Nevertheless, several of the opinions and ideas proposed by this individual were submitted to those responsible for developing the proposed endangerment finding. Additionally, his manager allowed his general views on the subject of climate change to be heard and considered inside and outside the EPA and presented at conferences and at an agency seminar. The individual was also granted a request to join a committee that organizes an ongoing climate seminar series, open to both agency and outside experts, where he has been able to invite speakers with a full range of views on climate science. The claims that his opinions were not considered or studied are entirely false.

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

01268-EPA-210

Arvin Ganesan/DC/USEPA/US

06/25/2009 09:48 AM

To Richard Windsor, Bob Sussman

cc Diane Thompson, Allyn Brooks-LaSure, Scott Fulton, Adora Andy

bcc

Subject Re: Call with Jon Carson re Coal Ash -- Call w boxer

[redacted] (b) (5) Attorney Client, (b) (5) Deliberative

Sent from my Blackberry Wireless Device
Richard Windsor

----- Original Message -----
From: Richard Windsor
Sent: 06/25/2009 09:40 AM EDT
To: Bob Sussman
Cc: Diane Thompson; Arvin Ganesan; Allyn Brooks-LaSure; Scott Fulton; Adora Andy
Subject: Re: Call with Jon Carson re Coal Ash -- Call w boxer

Arvin - [redacted] (b) (5) Attorney Client, (b) (5) Deliberative
Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 06/25/2009 09:37 AM EDT
To: Richard Windsor
Cc: Diane Thompson; Arvin Ganesan; Allyn Brooks-LaSure; Scott Fulton; Adora Andy
Subject: Call with Jon Carson re Coal Ash -- Call w boxer

[redacted] (b) (5) Attorney Client, (b) (5) Deliberative

[redacted]

[redacted]

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

01268-EPA-211

Arvin Ganesan/DC/USEPA/US

06/25/2009 10:07 AM

To Richard Windsor

cc Adora Andy, Allyn Brooks-LaSure, Bob Sussman, Diane Thompson, Scott Fulton

bcc

Subject Re: Call with Jon Carson re Coal Ash -- Call w boxer

[redacted] (b) (5) Attorney Client, (b) (5) Deliberative

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

Richard Windsor [redacted] (b) (5) Attorney Client, (b) (5) Deliberative 06/25/2009 09:40:27 AM

From: Richard Windsor/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA
Cc: Diane Thompson/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA
Date: 06/25/2009 09:40 AM
Subject: Re: Call with Jon Carson re Coal Ash -- Call w boxer

Arvin - [redacted] (b) (5) Attorney Client, (b) (5) Deliberative

Bob Sussman

----- Original Message -----
From: Bob Sussman
Sent: 06/25/2009 09:37 AM EDT
To: Richard Windsor
Cc: Diane Thompson; Arvin Ganesan; Allyn Brooks-LaSure; Scott Fulton; Adora Andy
Subject: Call with Jon Carson re Coal Ash -- Call w boxer

[redacted] (b) (5) Attorney Client, (b) (5) Deliberative

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

01268-EPA-213

Eric Wachter/DC/USEPA/US
06/26/2009 11:39 AM

To Richard Windsor
cc Aaron Dickerson
bcc
Subject Fw: OMB Memo of June 11

???

Message Information

Date 06/23/2009 09:13 AM
From **Richard Sumpter/R7/USEPA/US**
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Fw: OMB Memo of June 11

Message Body

Administrator Jackson,
I want to thank you for your words of encouragement during your visit to the Kansas City Regional Office. As a result of that visit (you came across as an imminently approachable person) I decided to send you a copy of a recent suggestion/recommendation that I really believe in strongly.
Thanks for being a champion for important issues in these very difficult times.
Richard Sumpter
----- Forwarded by Richard Sumpter/R7/USEPA/US on 06/23/09 08:07 AM -----

Richard Sumpter/R7/USEPA/US
06/18/09 08:37 AM

To Rita Smith/DC/USEPA/US
cc William Rice/RGAD/R7/USEPA/US@EPA, Robert Tolpa/R5/USEPA/US@EPA, Wendy Lubbe/R7/USEPA/US@EPA, Matt Hoagland/R1/USEPA/US@EPA
Subject OMB Memo of June 11

Rita,

[redacted]
Ex. 5 - Deliberative

Ex. 5 - Deliberative

[redacted]

Dick Sumpter

OEX Processing Information

Processed Date:

Processed By

PO Office Category:

Message Count

01268-EPA-214

Allyn Brooks-LaSure/DC/USEPA/US

06/26/2009 08:36 PM

To David McIntosh, Arvin Ganesan, Bob Sussman, Diane Thompson, Eric Wachter, Gina McCarthy, Lisa Heinzerling, Marcia Mulkey, Richard Windsor, Robert Goulding, Scott Fulton, Seth Oster

cc "Andy, Adora"

bcc

Subject POTUS remarks (excerpted) on bill

Below is the pool report of the presidents remarks regarding the bill. A full transcript will come later today.

Pool Report
Victory Lap on Energy Bill

At 7:30 p.m., pool was escorted through a heavy thunderstorm that cut short the White House staff picnic and led into the diplomatic reception room. POTUS hailed House passage of the energy bill that includes a system for regulating greenhouse gas emissions, saying it was a historic action that would create millions of new jobs, reduce America's dependence on foreign oil and limit the release of dangerous pollutants.
"Now it's up to the Senate to take the next step," the president said. He expressed confidence that chamber would rise to the challenge and portrayed the debate as one between supporters of the status quo and those who want to position the United States as a leader in the 21st century economy. (full transcript coming)

The president noted a "spirit of change" taking hold across the country that's prompting people to abandon failed politics and policies of the past. Standing nearby: Chief of Staff Rahm Emanuel, Assistant to President for Energy and Climate Change Carol Browner and legislative director Phil Schiliro.

Before president entered, lashing rain and strong winds could be seen toppling several tents that were set up for the picnic on the south lawn. Loud claps of thunder served as an overture to POTUS' brief remarks.

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: 202-631-0415
Allyn Brooks-LaSure

----- Original Message -----
From: Allyn Brooks-LaSure
Sent: 06/26/2009 07:39 PM EDT
To: David McIntosh; Arvin Ganesan; Bob Sussman; Craig Hooks; Diane Thompson; Eric Wachter; Gina McCarthy; Lisa Heinzerling; Marcia Mulkey; Ray Spears; Richard Windsor; Robert Goulding; Scott Fulton; Seth Oster
Subject: Re: Rs who voted AYE and Ds who voted NO
Way to go NJ!

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: 202-631-0415

David McIntosh

----- Original Message -----
From: David McIntosh
Sent: 06/26/2009 07:32 PM EDT
To: Allyn Brooks-LaSure; Arvin Ganesan; Bob Sussman; Craig Hooks; Diane Thompson; Eric Wachter; Gina McCarthy; Lisa Heinzerling; Marcia Mulkey; Ray Spears; Richard Windsor; Robert Goulding; Scott Fulton; Seth Oster
Subject: Rs who voted AYE and Ds who voted NO

Rs voting AYE (8):
Bono Mack
Castle
Kirk
Lance
LoBiondo
McHugh
Smith (NJ)
Reichert

Ds voting NO (29):
Altmire
Arcuri
Barrow
Berry
Boren
Bright
Carney
Childers
Costa
Costello
Dahlkemper
Davis (AL)
Foster
Grifith
Herseth Sandlin
Holden
Kirkpatrick (AZ)
Kissel
Kucinich
Marshall
Mollohan
Nye
Ortiz
Pomeroy
Rahall
Rodriguez
Salazar
Tanner
Taylor

David McIntosh We needed 218. 06/26/2009 07:16:58 PM

From: David McIntosh/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Ray

Spears/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Marcia Mulkey/DC/USEPA/US@EPA

Date: 06/26/2009 07:16 PM

Subject: The House just passed the Waxman bill by a vote of 219 to 212

We needed 218.

01268-EPA-215

Seth Oster/DC/USEPA/US
06/29/2009 07:43 PM

To windsor.richard
cc "Allyn Brooks-LaSure"
bcc
Subject Fw: Ocean Going Vessels Release

[redacted] Ex. 5 - Deliberative

Seth
Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 06/29/2009 07:17 PM EDT
To: Arvin Ganesan; Bob Sussman
Cc: Diane Thompson; Allyn Brooks-LaSure; Brendan Gilfillan; Betsaida Alcantara; Adora Andy; John Millett; Andrea Drinkard; Justin Cohen; Cathy Milbourn
Subject: Ocean Going Vessels Release

[redacted] Ex. 5 - Deliberative

[redacted].

Thanks.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

01268-EPA-216

Eric Wachter/DC/USEPA/US
07/01/2009 10:44 AM

To windsor.richard
cc
bcc
Subject Fw: Tribal Leaders' Summit

----- Forwarded by Eric Wachter/DC/USEPA/US on 07/01/2009 10:43 AM -----

Message Information

Date 07/01/2009 09:07 AM
From **Carol Jorgensen/DC/USEPA/US**
To LisaP Jackson/DC/USEPA/US@EPA
cc Daniel Gerasimowicz/DC/USEPA/US@EPA; Scott Fulton/DC/USEPA/US@EPA
Subject Tribal Leaders' Summit

Message Body

Hi Lisa, just a quick not to update you on the Tribal Leaders' Summit. As you know, we have been moving ahead with our plans for the Summit, and had tentatively scheduled the event for the week of September 29-October 2, which includes travel days. As you know, my staff and I work with the White House Office of Inter-governmental Affairs, Ms. Jodi Gillette, and we will also be working with Ms. KimTeehee, the new Policy Advisor to the President for Tribal Affairs.

Ex. 5 - Deliberative

[redacted]

[redacted]

[redacted]

Please let me know your wishes, and Thank you again for your support of our important work. cj

OEX Processing Information

Processed Date:

Processed By

PO Office Category:

Message Count

01268-EPA-221

David McIntosh/DC/USEPA/US
07/16/2009 08:46 AM

To Richard Windsor
cc
bcc
Subject Re: July 22 opening statement, ready for your review

Will do, thanks.

Richard Windsor [redacted] Tx. ----- Or... 07/16/2009 08:44:41 AM

From: Richard Windsor/DC/USEPA/US
To: David McIntosh/DC/USEPA/US@EPA
Date: 07/16/2009 08:44 AM
Subject: Re: July 22 opening statement, ready for your review

[redacted] Tx.

David McIntosh

----- Original Message -----
From: David McIntosh
Sent: 07/16/2009 08:14 AM EDT
To: Richard Windsor
Cc: Aaron Dickerson
Subject: July 22 opening statement, ready for your review

Hi Administrator. [redacted] Otherwise, I'll put it into OMB review tomorrow.
Thanks,
David

[attachment "Draft July 22 Administrator Jackson Opening Statement.doc" deleted by Richard Windsor/DC/USEPA/US]

Statement of Lisa P. Jackson
Administrator, U.S. Environmental Protection Agency
Hearing on Energy and Climate Legislation
Committee on Agriculture, Nutrition, and Forestry
July 22, 2009

Chairman Harkin, Ranking Member Chambliss, and members of the Committee, thank you for inviting me to testify.

[redacted]

Ex. 5 - Deliberative

[redacted]

Ex. 5 - Deliberative

[redacted]

Ex. 5 - Deliberative

Ex. 5 - Deliberative

[redacted]

[redacted]

Thank you again for inviting me here today. I look forward to answering your questions.

01268-EPA-230

Seth Oster/DC/USEPA/US
07/20/2009 12:13 PM

To Richard Windsor
cc Diane Thompson
bcc
Subject Lisa/David/Seth Internal Announcement

Administrator,

Below is a draft for your review --- to go out today from you via email -- announcing Lisa, David and me as Associate Administrators.

[redacted] Ex. 5 - Deliberative

[redacted]

Seth

Administrator Lisa P. Jackson

Mailer on Appointments

July 27, 2009

Colleagues:

[redacted] Ex. 5 - Deliberative

[redacted]

Ex. 5 - Deliberative

01268-EPA-231

Seth Oster/DC/USEPA/US
07/20/2009 12:37 PM

To Richard Windsor
cc Diane Thompson
bcc
Subject Re: Lisa/David/Seth Internal Announcement

[redacted] Ex. 5 - Deliberative

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [redacted] Ex. 5 - Deliberative 07/20/2009 12:28:39 PM

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Cc: Diane Thompson/DC/USEPA/US@EPA
Date: 07/20/2009 12:28 PM
Subject: Re: Lisa/David/Seth Internal Announcement

[redacted] Ex. 5 - Deliberative

[redacted]

[redacted]

[redacted]

Seth Oster

----- Original Message -----
From: Seth Oster
Sent: 07/20/2009 12:13 PM EDT
To: Richard Windsor
Cc: Diane Thompson
Subject: Lisa/David/Seth Internal Announcement

Administrator,

Below is a draft for your review --- to go out today from you via email -- announcing Lisa, David and me as Associate Administrators.

[redacted] Ex. 5 - Deliberative

Ex. 5 - Deliberative

[redacted]

Seth

Administrator Lisa P. Jackson

Mailer on Appointments

July 27, 2009

Ex. 5 - Deliberative

[redacted]

Ex. 5 - Deliberative

01268-EPA-235

Scott Fulton/DC/USEPA/US
07/21/2009 08:09 AM

To Richard Windsor
cc
bcc
Subject Re: E and C paper

Thanks. Got it.

Richard Windsor [Ex. 5 - Deliberative] 07/21/2009 07:57:50 AM

From: Richard Windsor/DC/USEPA/US
To: Scott Fulton/DC/USEPA/US@EPA
Date: 07/21/2009 07:57 AM
Subject: Re: E and C paper

[Ex. 5 - Deliberative].

Scott Fulton

----- Original Message -----
From: Scott Fulton
Sent: 07/20/2009 11:28 PM EDT
To: Richard Windsor
Subject: Fw: E and C paper

[Ex. 5 - Deliberative]

Gina McCarthy

----- Original Message -----
From: Gina McCarthy
Sent: 07/20/2009 07:10 PM EDT
To: Scott Fulton
Cc: Bob Sussman
Subject: Re: E and C paper

[Ex. 5 - Deliberative]

water and other programs. But the biggest concern I have with the waste min proposal is my belief that

Ex. 5 - Deliberative

Thanks again.

Scott Fulton Ex. 5 - Deliberative 07/20/2009 05:13:42 PM

From: Scott Fulton/DC/USEPA/US
To: Gina McCarthy/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA
Date: 07/20/2009 05:13 PM
Subject: E and C paper

Ex. 5 - Deliberative

Cheers,
Scott

[attachment "enery and climate initiative paper sf edits clean.doc" deleted by Richard Windsor/DC/USEPA/US]
[attachment "enery and climate initiative paper sf edits.doc" deleted by Richard Windsor/DC/USEPA/US]

01268-EPA-236

Daniel Gerasimowicz/DC/USEPA/US
07/24/2009 03:16 PM

To
cc
bcc
Subject Meeting with Senator Merkley

Meeting

Date 08/04/2009
Time 04:45:00 PM to 05:15:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Russell Office Building, Room 107

Subj: Energy/Climate Legislation

Ct: JP Piorkowski (Sen. Merkley's Office) Ex. 6 Privacy

Staff:
David McIntosh (OCIR)

The Senator will be joined by

Tamara Fucile, Legislative Director
Jeremiah Bauman, Legislative Aide for Environment

01268-EPA-240

Scott Fulton/DC/USEPA/US
07/26/2009 10:46 PM

To "Richard Windsor"
cc "Lisa Heinzerling", "Gina McCarthy"
bcc
Subject Meeting with Vice Min. Li

Hi Lisa - Had a good meeting with Vice Minister Li this evening. Ran almost 2 hours. A few things of possible relevance to tomorrow's meeting.

(b) (5) Attorney Client, (b) (5) Deliberative

[redacted]

See you in the morning, Scott

01268-EPA-241

Seth Oster/DC/USEPA/US
07/27/2009 05:49 PM

To Richard Windsor
cc
bcc
Subject DECISION: Mornings

[redacted] Ex. 5 - Deliberative

[redacted]

[redacted]

Let me know what you think.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard Windsor [redacted] Ex. 5 - Deliberative 07/19/2009 10:54:47 PM