

Service Name	Service Number	Market Cycle End Date	Date	Time	Sent To	Received From	Charge Description	Charge Amount	Service ID 1	Service ID 2	Service ID 3	Service ID 4	E-Mail Add
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/24/2011	21:32			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/25/2011	6:59			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/25/2011	20:31			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/25/2011	20:37			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/25/2011	20:40			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/26/2011	10:22			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/26/2011	15:29			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/27/2011	2:25			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/27/2011	6:40			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/28/2011	19:10			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/28/2011	19:18			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/28/2011	19:19			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/28/2011	19:38			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/28/2011	22:52			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/29/2011	8:11			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/29/2011	12:26			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/29/2011	12:43			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/29/2011	15:46			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/29/2011	18:48			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/30/2011	19:06			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	4/30/2011	20:55			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/1/2011	9:50			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/1/2011	9:51			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/1/2011	10:44			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/1/2011	14:01			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/1/2011	15:56			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/1/2011	17:55			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	14:58			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	15:17			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	17:24			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	17:26			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	18:01			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	20:13			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	20:27			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	21:00			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	21:00			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	21:06			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	21:18			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	21:25			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	21:48			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/2/2011	21:51			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	7:10			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	7:38			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	8:11			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	10:00			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	10:09			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	11:45			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	12:33			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	12:39			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	13:00			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	13:01			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	15:32			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	15:56			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	21:13			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/3/2011	21:17			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/5/2011	13:50			Text Message	\$0 00					
ENVIRONMENTAL PROTECTION AGENCY	2025960247	5/23/2011	5/5/2011	15:58			Text Message	\$0 00					

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

▼ Joseph Goffman—01/28/2013 02:36:08 PM—Schedules are very tight around here in the next couple of weeks. I think it would be best to start

From: Joseph Goffman/DC/USEPA/US
To: John Coeuyt <john.coeuyt@sierraclub.org>
Cc: Emily Atkinson/DC/USEPA/US@EPA
Date: 01/28/2013 02:36 PM

Subject: Re: Meeting request

Schedules are very tight around here in the next couple of weeks. I think it would be best to start with Janet McCabe and see if we can get this on her calendar for early next week. Emily can work with you to find a time. Thanks.

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
[202 564 3201](tel:2025643201)

▼ John Coeuyt ---01/28/2013 02:05:43 PM---Can you all do friday morning some time for the meeting? On Mon, Jan 28, 2013 at 8:10 AM, <Goffman.

From: John Coeuyt <john.coeuyt@sierraclub.org>
To: Joseph Goffman/DC/USEPA/US@EPA
Date: 01/28/2013 02:05 PM
Subject: Re: Meeting request

Can you all do friday morning some time for the meeting?

On Mon, Jan 28, 2013 at 8:10 AM, <
Goffman.Joseph@epamail.epa.gov> wrote:

> Sure thing. Let's talk, too.

>

>

> ----- Original Message -----

> From: John Coeuyt [john.coeuyt@sierraclub.org]

> Sent: 01/28/2013 08:08 AM EST

> To: Joseph Goffman

> Subject: Meeting request

>

>

>

> Switching to email. Can a few of us come talk to you and Gina about

> so2 naaqs. Happy to discuss on phone before too.

>

> John Coeuyt

> [202.669.7060](tel:2026697060)

From: [Newton, Jonathan](#)
To: [Anderson, Cindy](#); [Weinstock, Larry](#)
Cc: [No, Fredrick](#); [Miller, Kevin](#); [McDermott, Marna](#); [Minoli, Kevin](#); [Wachter, Eric](#)
Subject: RE: New FOAI Assignment (EPA-HQ-2014-002006)
Date: Monday, January 06, 2014 4:43:55 PM

Larry,

(b) (5) DPP, (b) (5) ACP
[REDACTED]

Jonathan V. Newton, Attorney-Advisor
U.S. EPA, Office of the Executive Secretariat
1200 Pennsylvania Avenue, NW (MC 1105A)
Washington, D.C. 20460
(202) 566-1981

From: Anderson, Cindy
Sent: Monday, January 06, 2014 4:42 PM
To: Weinstock, Larry; Newton, Jonathan
Cc: No, Fredrick; Miller, Kevin; McDermott, Marna; Minoli, Kevin
Subject: RE: New FOAI Assignment (EPA-HQ-2014-002006)
Importance: High

(b) (5) DPP, (b) (5) ACP
[REDACTED]

[REDACTED]
[REDACTED] ?

Cindy Anderson
(202) 564-2690

From: Weinstock, Larry
Sent: Monday, January 06, 2014 4:39 PM
To: Weinstock, Larry; Anderson, Cindy; Newton, Jonathan
Cc: No, Fredrick; Miller, Kevin; McDermott, Marna; Minoli, Kevin
Subject: RE: New FOAI Assignment (EPA-HQ-2014-002006)
Importance: High

(b) (5) DPP, (b) (5) ACP
[REDACTED]

[REDACTED]. I am going to set up a meeting to discuss how to approach this FOIA for
Cindy, Kevin, Marna, Jonathan and myself.

You should receive the invite shortly.

From: [Newton, Jonathan](#)
To: [Anderson, Cindy](#); [Weinstock, Larry](#)
Cc: [No, Fredrick](#); [Miller, Kevin](#); [McDermott, Marna](#); [Minoli, Kevin](#); [Wachter, Eric](#)
Subject: RE: New FOAI Assignment (EPA-HQ-2014-002006)
Date: Monday, January 06, 2014 4:43:55 PM

Larry,

(b) (5) DPP, (b) (5) ACP
[REDACTED]

Jonathan V. Newton, Attorney-Advisor
U.S. EPA, Office of the Executive Secretariat
1200 Pennsylvania Avenue, NW (MC 1105A)
Washington, D.C. 20460
(202) 566-1981

From: Anderson, Cindy
Sent: Monday, January 06, 2014 4:42 PM
To: Weinstock, Larry; Newton, Jonathan
Cc: No, Fredrick; Miller, Kevin; McDermott, Marna; Minoli, Kevin
Subject: RE: New FOAI Assignment (EPA-HQ-2014-002006)
Importance: High

(b) (5) DPP, (b) (5) ACP
[REDACTED]

[REDACTED]
[REDACTED] ?
Cindy Anderson
(202) 564-2690

From: Weinstock, Larry
Sent: Monday, January 06, 2014 4:39 PM
To: Weinstock, Larry; Anderson, Cindy; Newton, Jonathan
Cc: No, Fredrick; Miller, Kevin; McDermott, Marna; Minoli, Kevin
Subject: RE: New FOAI Assignment (EPA-HQ-2014-002006)
Importance: High

(b) (5) DPP, (b) (5) ACP
[REDACTED]

[REDACTED]. I am going to set up a meeting to discuss how to approach this FOIA for
Cindy, Kevin, Marna, Jonathan and myself.

You should receive the invite shortly.

EXHIBIT F

From: [Garbow, Avi](#)
To: [Minoli, Kevin](#)
Subject: FW: Text response
Date: Friday, May 31, 2013 3:33:20 PM

fyi

Avi Garbow
Deputy General Counsel
U.S. Environmental Protection Agency
(202) 564-1917 Cell (b) (6)

-----Original Message-----

From: Mccarthy, Gina
Sent: Friday, May 31, 2013 3:31 PM
To: Ketcham-Colwill, Nancy; Goffman, Joseph
Cc: Garbow, Avi; Reynolds, Thomas; Millett, John; Ganesan, Arvin
Subject: Text response

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED]

[REDACTED]

From: [Minoli, Kevin](#)
To: [Johnson, Alisha](#)
Subject: RE: Text response
Date: Friday, May 31, 2013 5:09:00 PM

I'm touching base with Avi and will be back with you shortly.

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

-----Original Message-----

From: Johnson, Alisha
Sent: Friday, May 31, 2013 4:44 PM
To: Ketcham-Colwill, Nancy; Minoli, Kevin; Reynolds, Thomas
Subject: RE: Text response

Thanks. Kevin. Below is the current draft. Please let me know what edits you have.

(b) (5) DPP, (b) (5) ACP



-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 4:36 PM
To: Minoli, Kevin; Reynolds, Thomas
Cc: Johnson, Alisha
Subject: Re: Text response

Thanks, Kevin. Alisha is drafting something for review and we'll definitely loop you in.

From: Minoli, Kevin
Sent: Friday, May 31, 2013 4:24:06 PM
To: Ketcham-Colwill, Nancy; Reynolds, Thomas
Subject: RE: Text response

I'm definitely happy to help too. Kevin

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 3:51 PM
To: Reynolds, Thomas; McCarthy, Gina; Goffman, Joseph

Cc: Garbow, Avi; Millett, John; Ganesan, Arvin; Minoli, Kevin; Weinstock, Larry
Subject: Re: Text response

(b) (5) DPP, (b) (5) ACP

From: Reynolds, Thomas
Sent: Friday, May 31, 2013 3:38:12 PM
To: Mccarthy, Gina; Ketcham-Colwill, Nancy; Goffman, Joseph
Cc: Garbow, Avi; Millett, John; Ganesan, Arvin
Subject: RE: Text response

(b) (5) DPP, (b) (5) ACP

-----Original Message-----

From: Mccarthy, Gina
Sent: Friday, May 31, 2013 3:31 PM
To: Ketcham-Colwill, Nancy; Goffman, Joseph
Cc: Garbow, Avi; Reynolds, Thomas; Millett, John; Ganesan, Arvin
Subject: Text response

(b) (5) DPP, (b) (5) ACP

From: [Minoli, Kevin](#)
To: [Johnson, Alisha](#); [Ketcham-Colwill, Nancy](#); [Reynolds, Thomas](#); [Garbow, Avi](#); [Millett, John](#)
Subject: Re: Text response
Date: Friday, May 31, 2013 11:46:02 PM

That worlks for me.

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Line: 564-8064
Direct Dial: 564-5551

From: Johnson, Alisha
Sent: Friday, May 31, 2013 6:30:09 PM
To: Minoli, Kevin; Ketcham-Colwill, Nancy; Reynolds, Thomas; Garbow, Avi; Millett, John
Subject: Re: Text response

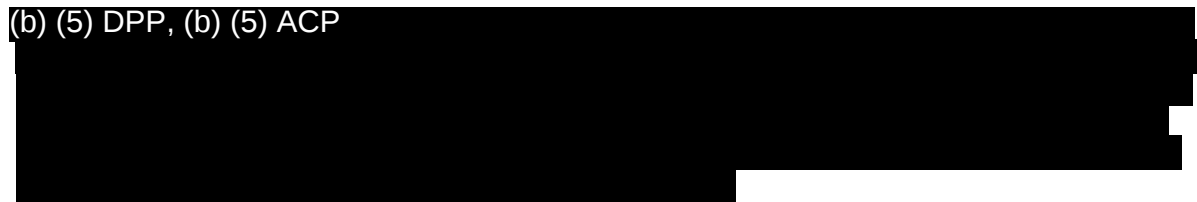
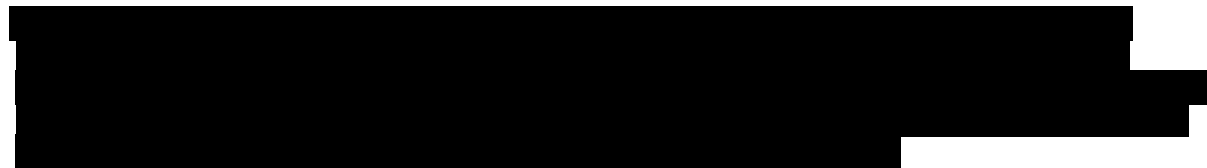
How about:

(b) (5) DPP, (b) (5) ACP

A large rectangular area of the document is completely redacted with black ink, obscuring several lines of text.

From: Minoli, Kevin
Sent: Friday, May 31, 2013 5:24:58 PM
To: Ketcham-Colwill, Nancy; Johnson, Alisha; Reynolds, Thomas; Garbow, Avi
Subject: RE: Text response

(b) (5) DPP, (b) (5) ACP

A large rectangular area of the document is completely redacted with black ink, obscuring several lines of text.A large rectangular area of the document is completely redacted with black ink, obscuring several lines of text.

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 5:20 PM
To: Johnson, Alisha; Minoli, Kevin; Reynolds, Thomas
Subject: Re: Text response

(b) (5) DPP, (b) (5) ACP

?

From: Johnson, Alisha
Sent: Friday, May 31, 2013 4:43:53 PM
To: Ketcham-Colwill, Nancy; Minoli, Kevin; Reynolds, Thomas
Subject: RE: Text response

Thanks. Kevin. Below is the current draft. Please let me know what edits you have.

(b)(5) DPP, (b)(5) ACP

-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 4:36 PM
To: Minoli, Kevin; Reynolds, Thomas
Cc: Johnson, Alisha
Subject: Re: Text response

Thanks, Kevin. Alisha is drafting something for review and we'll definitely loop you in.

From: Minoli, Kevin
Sent: Friday, May 31, 2013 4:24:06 PM
To: Ketcham-Colwill, Nancy; Reynolds, Thomas
Subject: RE: Text response

I'm definitely happy to help too. Kevin

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 3:51 PM
To: Reynolds, Thomas; McCarthy, Gina; Goffman, Joseph
Cc: Garbow, Avi; Millett, John; Ganesan, Arvin; Minoli, Kevin; Weinstock, Larry
Subject: Re: Text response

(b) (5) DPP, (b) (5) ACP

From: Reynolds, Thomas
Sent: Friday, May 31, 2013 3:38:12 PM
To: McCarthy, Gina; Ketcham-Colwill, Nancy; Goffman, Joseph
Cc: Garbow, Avi; Millett, John; Ganesan, Arvin

Subject: RE: Text response

(b) (5) DPP, (b) (5) ACP

-----Original Message-----

From: Mccarthy, Gina

Sent: Friday, May 31, 2013 3:31 PM

To: Ketcham-Colwill, Nancy; Goffman, Joseph

Cc: Garbow, Avi; Reynolds, Thomas; Millett, John; Ganesan, Arvin

Subject: Text response

(b) (5) DPP, (b) (5) ACP

From: [Ketcham-Colwill, Nancy](#)
To: [Minoli, Kevin](#); [Johnson, Alisha](#); [Reynolds, Thomas](#); [Garbow, Avi](#)
Cc: [Millett, John](#)
Subject: Re: Text response
Date: Friday, May 31, 2013 5:49:40 PM

(b) (5) DPP, (b) (5) ACP

[REDACTED]

From: Minoli, Kevin
Sent: Friday, May 31, 2013 5:24:58 PM
To: Ketcham-Colwill, Nancy; Johnson, Alisha; Reynolds, Thomas; Garbow, Avi
Subject: RE: Text response

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED]

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 5:20 PM
To: Johnson, Alisha; Minoli, Kevin; Reynolds, Thomas
Subject: Re: Text response

(b) (5) DPP, (b) (5) ACP

[REDACTED] ?

From: Johnson, Alisha
Sent: Friday, May 31, 2013 4:43:53 PM
To: Ketcham-Colwill, Nancy; Minoli, Kevin; Reynolds, Thomas
Subject: RE: Text response

Thanks. Kevin. Below is the current draft. Please let me know what edits you have.

(b) (5) DPP, (b) (5) ACP

[REDACTED]

-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 4:36 PM
To: Minoli, Kevin; Reynolds, Thomas
Cc: Johnson, Alisha
Subject: Re: Text response

Thanks, Kevin. Alisha is drafting something for review and we'll definitely loop you in.

From: Minoli, Kevin
Sent: Friday, May 31, 2013 4:24:06 PM
To: Ketcham-Colwill, Nancy; Reynolds, Thomas
Subject: RE: Text response

I'm definitely happy to help too. Kevin

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

-----Original Message-----

From: Ketcham-Colwill, Nancy
Sent: Friday, May 31, 2013 3:51 PM
To: Reynolds, Thomas; Mccarthy, Gina; Goffman, Joseph
Cc: Garbow, Avi; Millett, John; Ganesan, Arvin; Minoli, Kevin; Weinstock, Larry
Subject: Re: Text response

(b) (5) DPP, (b) (5) ACP

From: Reynolds, Thomas
Sent: Friday, May 31, 2013 3:38:12 PM
To: Mccarthy, Gina; Ketcham-Colwill, Nancy; Goffman, Joseph
Cc: Garbow, Avi; Millett, John; Ganesan, Arvin
Subject: RE: Text response

(b) (5) DPP, (b) (5) ACP

-----Original Message-----

From: Mccarthy, Gina
Sent: Friday, May 31, 2013 3:31 PM
To: Ketcham-Colwill, Nancy; Goffman, Joseph
Cc: Garbow, Avi; Reynolds, Thomas; Millett, John; Ganesan, Arvin
Subject: Text response

(b) (5) DPP, (b) (5) ACP

From: [Minoli, Kevin](#)
To: [Kelly, Lynn](#)
Cc: [Miller, Kevin](#); [McDermott, Marna](#)
Subject: RE: CEI v. EPA, 13-0779 (BAH)
Date: Tuesday, July 30, 2013 11:35:00 AM

(b)(5) AWP, (b)(5) ACP, (b)(5) DPP

[REDACTED]. Kevin

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

From: Kelly, Lynn
Sent: Tuesday, July 30, 2013 10:22 AM
To: Minoli, Kevin
Cc: Miller, Kevin; McDermott, Marna
Subject: FW: CEI v. EPA, 13-0779 (BAH)
Importance: High

[Kevin](#),

(b)(5) AWP, (b)(5) ACP, (b)(5) DPP

[REDACTED]

[REDACTED]

Thanks!

Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A
| Washington DC 20460 | phone: (202) 564-3266

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From: Ketcham-Colwill, Nancy
Sent: Tuesday, July 30, 2013 10:09 AM
To: Kelly, Lynn; Miller, Kevin
Subject: RE: CEI v. EPA, 13-0779 (BAH)

(b)(5) AWP, (b)(5) ACP, (b)(5) DPP

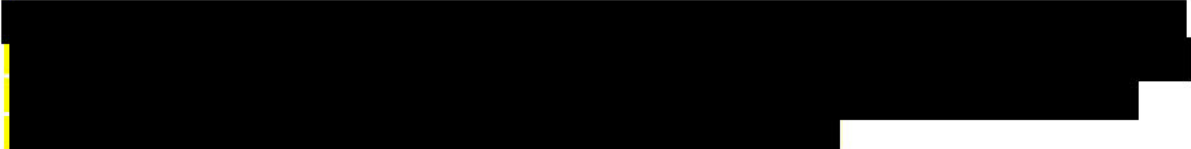
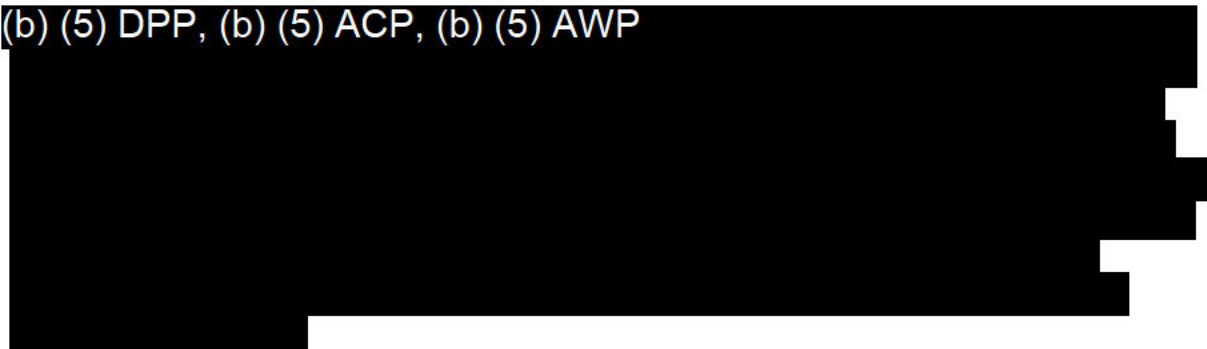
[REDACTED]

(b) (5) DPP, (b) (5) ACP Thanks for your help in thinking this through!

Nancy

From: Kelly, Lynn
Sent: Tuesday, July 30, 2013 8:54 AM
To: Miller, Kevin; Ketcham-Colwill, Nancy
Subject: RE: CEI v. EPA, 13-0779 (BAH)

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP



Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A
| Washington DC 20460 | phone: (202) 564-3266

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From: Miller, Kevin
Sent: Tuesday, July 30, 2013 8:39 AM

To: Kelly, Lynn; Ketcham-Colwill, Nancy
Subject: RE: CEI v. EPA, 13-0779 (BAH)

Lynn & Nancy,

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-2691

From: Kelly, Lynn
Sent: Monday, July 29, 2013 5:55 PM
To: Ketcham-Colwill, Nancy; Miller, Kevin
Subject: FW: CEI v. EPA, 13-0779 (BAH)

Nancy,

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A
| Washington DC 20460 | phone: (202) 564-3266

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From: Lo, Michelle (USADC) [<mailto:Michelle.Lo2@usdoj.gov>]

Sent: Monday, July 29, 2013 3:12 PM
To: Kelly, Lynn
Subject: FW: CEI v. EPA, 13-0779 (BAH)

Lynn: (b)(5) AWP, (b)(5) ACP

Thanks.

From: Hans Bader [<mailto:HBader@cei.org>]
Sent: Monday, July 29, 2013 3:02 PM
To: Lo, Michelle (USADC)
Cc: Sam Kazman; Chris Horner
Subject: RE: CEI v. EPA, 13-0779 (BAH)

One final thing: My colleagues are curious and want an answer to the following question before we dismiss the case: How can there be no responsive records (as stated by EPA in its no-records response, and echoed in the answer), that is, no text messages, when EPA has elsewhere produced documents to us saying that Ms. McCarthy sent hundreds of text messages using her EPA device (see the attached administrative response by EPA to Chris Horner's FOIA request – the first attached file is EPA's cover letter in response to that request, and the second is its substantive response)? I'd like to get that clarification on that issue before filing the stipulation I sent earlier.

Thanks,

Hans Bader
CEI

From: Hans Bader
Sent: Monday, July 29, 2013 12:17 PM
To: 'Lo, Michelle (USADC)'
Cc: Sam Kazman
Subject: RE: CEI v. EPA, 13-0779 (BAH)

Oops. The draft stipulation I sent in the below email had the wrong docket number on it. That has been fixed in the attached draft stipulation.

From: Hans Bader
Sent: Monday, July 29, 2013 12:11 PM
To: 'Lo, Michelle (USADC)'
Cc: Sam Kazman
Subject: RE: CEI v. EPA, 13-0779 (BAH)

Chris Horner remains very skeptical of the no-records response. Nevertheless, it seems to me that it may not be worth the candle to keep litigating this particular case, as a prudential matter.

Accordingly, plaintiff would be willing to file the attached stipulation of dismissal. If this is acceptable to you, then it can be filed with the court, and it will not be necessary to set a briefing schedule.

Sorry for the delay in responding.

Thank you.

Hans Bader
Competitive Enterprise Institute
(202) 331-2278
hbader@cei.org

From: Lo, Michelle (USADC) [<mailto:Michelle.Lo2@usdoj.gov>]
Sent: Monday, July 29, 2013 10:11 AM
To: Hans Bader
Subject: RE: CEI v. EPA, 13-0779 (BAH)

Dear Hans:

Per Judge Howell's Standing Order, the parties are to jointly prepare and submit a report indicating whether the agency has made a final determination on compliance with the FOIA request at issue and propose a schedule for the filing of dispositive motions within 14 days after any defendant appears, or by this Friday, August 2. As you know, the EPA issued a "no records" response to CEI's FOIA request on May 31, 2013. Provided CEI intends to proceed with this litigation, we propose the following briefing schedule:

EPA's Motion for Summary Judgment	September 16, 2013
CEI's Opposition to EPA's Motion for Summary Judgment	October 16, 2013
EPA's Reply	November 6, 2013

Please let me know if the above proposal is agreeable to you. Thank you.

Michelle Lo
Assistant United States Attorney
Civil Division
555 4th Street, N.W.
Washington, D.C. 20530
(202) 252-2541 – **Please note new number**
(202) 514-8780 fax
Michelle.Lo2@usdoj.gov

From: Hans Bader [<mailto:HBader@cei.org>]
Sent: Wednesday, July 17, 2013 6:06 PM
To: Lo, Michelle (USADC)
Subject: RE: CEI v. EPA, 13-0779 (BAH)

I am still waiting to hear back. Sorry about the delay.

From: Lo, Michelle (USADC) [<mailto:Michelle.Lo2@usdoj.gov>]
Sent: Wednesday, July 17, 2013 6:00 PM
To: Hans Bader
Subject: RE: CEI v. EPA, 13-0779 (BAH)

Hans:

Have you had a chance to discuss with your colleagues whether CEI intends to move forward with this litigation in light of the EPA's no records response?

Thanks,
Michelle

From: Lo, Michelle (USADC)
Sent: Thursday, July 11, 2013 4:12 PM
To: Hans Bader <HBader@cei.org> (<HBader@cei.org>)
Subject: CEI v. EPA, 13-0779 (BAH)

Hans:

Attached is the EPA's response to CEI's FOIA request for "copies of all text messages sent by Assistant Administrator for Air and Radiation Gina McCarthy on a mobile telephone provided for her use by the Agency" that I was referring to on our call just now. Please let me know if CEI believes that further litigation of this case will be necessary in light of the EPA's no records response. Thank you.

<< File: Final Response 6005.pdf >>

Michelle Lo
Assistant United States Attorney
Civil Division
555 4th Street, N.W.
Washington, D.C. 20530
(202) 514-5134; (202) 514-8780 fax
Michelle.Lo2@usdoj.gov

From: [Anderson, Cindy](#)
To: [Weinstock, Larry](#)
Cc: [Ketcham-Colwill, Nancy](#)
Subject: RE: CEI v. EPA (13-1074) billing for Gina McCarthy text messages
Date: Tuesday, September 03, 2013 3:14:00 PM

(b)(5) AWP, (b)(5) DP, (b)(5) ACP
[REDACTED]

Cindy
564-2690

-----Original Message-----

From: Weinstock, Larry
Sent: Tuesday, September 03, 2013 1:51 PM
To: Anderson, Cindy
Cc: Ketcham-Colwill, Nancy
Subject: RE: CEI v. EPA (13-1074) billing for Gina McCarthy text messages

(b)(5) AWP, (b)(5) DP, (b)(5) ACP
[REDACTED]

Larry

-----Original Message-----

From: Anderson, Cindy
Sent: Tuesday, September 03, 2013 1:43 PM
To: Weinstock, Larry
Cc: Ketcham-Colwill, Nancy
Subject: FW: CEI v. EPA (13-1074) billing for Gina McCarthy text messages

Larry -

I hope you had a fine week-end away after I finally stopped pestering you on Thursday afternoon.

(b)(5) AWP, (b)(5) DP, (b)(5) ACP
[REDACTED]

(b)(5) AWP, (b)(5) DP, (b)(5) ACP
[REDACTED]

Cindy
564-2690

-----Original Message-----

From: Reilly, Tom
Sent: Thursday, August 29, 2013 1:28 PM
To: Anderson, Cindy
Cc: Weinstock, Larry
Subject: RE: CEI v. EPA (13-1074) billing for Gina McCarthy text messages

Cindy,

(b)(5) AWP, (b)(5) DP, (b)(5) ACP
[REDACTED]

Tom

From: DAVIS, TANIKA
Sent: Thursday, August 29, 2013 1:20 PM
To: Reilly, Tom
Subject: McCarthy Info

Tom,

(b)(5) AWP, (b)(5) DP, (b)(5) ACP
[REDACTED]

Tanika Davis
ECS Team - EPA ITS - ACT II Contractor
Sr. Telecommunications Billing Analyst
Information Management Group/Mobile Devices Business Office
Tel: (919) 541-1823
Fax: (919) 685-3118
Email: davis.tanika@epa.gov

~~~~~  
\*\*\*PLEASE NOTE\*\*\* If you require Mobile Device related assistance, please use the following contacts:  
EZTech Locations - EPA Call Center 866-411-4372 (option 3) or EZTech@epa.gov All Other Locations - EPA Call  
Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

-----Original Message-----

From: Anderson, Cindy  
Sent: Thursday, August 29, 2013 12:54 PM  
To: Reilly, Tom; DAVIS, TANIKA  
Cc: Weinstock, Larry  
Subject: FW: CEI v. EPA (13-1074) billing for Gina McCarthy text messages  
Importance: High

Tom & Tanika -

(b)(5) AWP, (b)(5) DP, (b)(5) ACP  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Please feel free to call me to discuss.  
Thanks!

Cindy Anderson  
EPA/OGC  
(202) 564-2690

-----Original Message-----

From: Weinstock, Larry  
Sent: Thursday, August 29, 2013 12:38 PM  
To: Anderson, Cindy  
Subject: Re: CEI v. EPA (13-1074) billing for Gina McCarthy text messages

(b)(5) AWP, (b)(5) DP, (b)(5) ACP  
[REDACTED]

Larry

---

From: Anderson, Cindy  
Sent: Thursday, August 29, 2013 11:32:26 AM  
To: Weinstock, Larry  
Cc: Nebeker, Mark (USADC)  
Subject: FW: CEI v. EPA (13-1074) billing for Gina McCarthy text messages

Larry -

I know you're on your way out-of-town.

(b)(5) AWP, (b)(5) DP, (b)(5) ACP

Cindy  
564-2690

---

-----Original Message-----

From: Nebeker, Mark (USADC) [<mailto:Mark.Nebeker@usdoj.gov>]  
Sent: Thursday, August 29, 2013 11:28 AM  
To: Anderson, Cindy  
Subject: FW: CEI v. EPA (13-1074)

Here is Horner's email. (b)(5) AWP, (b)(5) DP, (b)(5) ACP

---

-----Original Message-----

From: Christopher Horner [[mailto:chris\\_horner@cei.org](mailto:chris_horner@cei.org)]  
Sent: Thursday, August 29, 2013 11:19 AM  
To: Nebeker, Mark (USADC)  
Subject: Re: CEI v. EPA (13-1074)

Dear Mark,

Per the below and our telephone conversation of earlier this morning, it seems that if EPA would simply show us one of these documents we would be able to know if their response to date is, despite the point I made in the Aug. 20 email to you, below, nonetheless sufficient for our needs, and avoiding you filing an answer, setting forth a briefing schedule etc. It should take us less than five minutes of review to know that.

We would be able to determine whether we could dismiss if EPA can show us -- via dropbox or otherwise -- a copy of one of the responsive invoices, that is the invoice itself, or alternately just the "text"-relevant pages but again of the bill itself as requested in our narrowing. Of course, dismissal will depend upon whether there is certain responsive metadata that was not provided in the excerpted portions EPA placed into the spreadsheet provided to us. But providing just one such invoice or the relevant, narrowed part of just one of those responsive invoices would let us know if we can accept the provided information as a sufficient proxy for the records/excerpted, copied portions of the records themselves.

If it is then I should think we also can withdraw the follow-on FOIA request of ours (Aug 8?) that we discussed. If they would like a confidentiality agreement or agreed protection (via an agreed order, or otherwise) that we will return, and will not maintain or circulate the information then I'm happy to provide that. But in that event they cannot mask information it contains.

Let me know if that's feasible. Otherwise, please do send the proposed schedule to me for review.

Best,  
Chris

On 8/28/13 9:58 AM, "Nebeker, Mark (USADC)" <[Mark.Nebeker@usdoj.gov](mailto:Mark.Nebeker@usdoj.gov)> wrote:

- > It is my understanding that the phone and text message bills to EPA
- > are sent only electronically in very large files on a monthly basis.
- > Each invoice is, in fact, on average about 43 megabytes. Were those
- > monthly bills to be printed out they would likely constitute 4,000 to
- > 6,000 pages for each PDF version of the invoice.

>  
> In order to respond to your request, as clarified in your July 3 email  
> to Larry Weinstock, for billings for only text messages from the  
> mobile device that Gina McCarthy used during the time period you  
> indicated, the Office of Environmental Information compiled the  
> information provided to you by searching for the bill information  
> provided on Ms. McCarthy's phone. I hope this clarifies the Agency's actions for you.  
>  
>  
> -----Original Message-----  
> From: Christopher Horner [[mailto:chris\\_horner@cei.org](mailto:chris_horner@cei.org)]  
> Sent: Tuesday, August 20, 2013 2:34 PM  
> To: Nebeker, Mark (USADC)  
> Subject: Re: CEI v. EPA (13-1074)  
>  
> Dear Mark,  
>  
> While I hgave your email address on related correspondence in front  
> iof me, I wanted to shoot you over what I was speaking about  
> yesterday. Our request re the phone/PDA bills was for the bills  
> themselves; when we narrowed, we agreed to narrow to the text message  
> portions of the bills themselves. EPA instead created the attached  
> doc, which on its face cites the invoice numbers from which the  
> information was obtained (See second column, Invoice number", e.g.,  
> 6295614107, 6309086813, 6322520212, etc.). It is those invoices, whose numbers EPA cites in its nominal  
> production, that we seek and that are responsive.  
>  
> Best,  
> Chris Horner  
>  
>  
> On 8/19/13 10:56 AM, "Anderson, Cindy" <[anderson.cindy@epa.gov](mailto:anderson.cindy@epa.gov)> wrote:  
>  
>> Chris -  
>>  
>> Mark Nebeker suggested that I send this FOIA response (mailed last  
>> Thursday, August 15) to you directly since his computer is still not  
>> operating today.  
>>  
>> Cindy Anderson  
>> EPA/OGC  
>> (202) 564-2690  
>>  
>> \_\_\_\_\_  
>> \_  
>> \_  
>>  
>> -----Original Message-----  
>> From: Anderson, Cindy  
>> Sent: Monday, August 19, 2013 10:28 AM  
>> To: 'mark.nebeker@usdoj.gov'  
>> Subject: CEI v. EPA (13-1074)  
>>  
>> Mark -  
>>  
>> Attached are the documents that were sent to CEI last Thursday,  
>> August 15, in response to FOIA request HQ-2013-005618 (for evidence  
>> of training that Gina McCarthy took regarding record-keeping, etc.).

>>

>> Thanks!

>>

>> Cindy Anderson

>> EPA/OGC

>> (202) 564-2690

>>

>>

>

**From:** [Gottesman, Larry](#)  
**To:** [Hilton, Patricia](#)  
**Cc:** [Miller, Kevin](#)  
**Subject:** RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)  
**Date:** Tuesday, July 30, 2013 10:08:56 AM

---

Thanks.

(b) (5) DPP, (b) (5) ACP



Thanks

Larry F. Gottesman  
National FOIA Officer  
U.S. Environmental Protection Agency  
Washington D.C. 20460

Office - 202 566 2162  
Mobile - 202 689 4588

---

**From:** Hilton, Patricia  
**Sent:** Tuesday, July 30, 2013 10:07 AM  
**To:** Gottesman, Larry  
**Subject:** FW: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Larry,

See below for answers to your questions. Please let me know how to proceed. Thanks, Pat

**Patricia Hilton (Pat)**, Special Assistant  
Office of Technology Operations and Planning (OTOP)  
Office of Environmental Information (OEI)  
Office (202) 566-1636  
Fax (202) 566-0319

---

**From:** Salama, Joseph  
**Sent:** Monday, July 29, 2013 12:15 PM  
**To:** Hilton, Patricia  
**Subject:** RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Sure Pat.

(b) (5) DPP, (b) (5) ACP

---

Joe M. Salama  
Information Technology Policy and Training  
Mission Investment Solutions Division  
Office of Environmental Information  
U.S. Environmental Protection Agency  
Office: (202) 566-1756  
Mobile: (202) 713-0710

---

**From:** Hilton, Patricia  
**Sent:** Monday, July 29, 2013 11:19 AM  
**To:** Salama, Joseph  
**Subject:** FW: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Joe,

Do you know the answer to Larry Gottesman's questions below?

**Patricia Hilton (Pat)**, Special Assistant  
Office of Technology Operations and Planning (OTOP)  
Office of Environmental Information (OEI)  
Office (202) 566-1636  
Fax (202) 566-0319

---

**From:** Gottesman, Larry  
**Sent:** Monday, July 29, 2013 11:16 AM  
**To:** Hilton, Patricia; Miller, Kevin; Anderson, Cindy  
**Cc:** Maher, Karen  
**Subject:** RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Pat-

(b) (5) DPP, (b) (5) ACP

---

**From:** Hilton, Patricia  
**Sent:** Friday, July 26, 2013 1:29 PM  
**To:** Miller, Kevin; Anderson, Cindy  
**Cc:** Gottesman, Larry; Maher, Karen  
**Subject:** RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Yes, of course. It's now attached.

**Patricia Hilton (Pat)**, Special Assistant  
Office of Technology Operations and Planning (OTOP)  
Office of Environmental Information (OEI)  
Office (202) 566-1636  
Fax (202) 566-0319

---

**From:** Miller, Kevin  
**Sent:** Friday, July 26, 2013 1:18 PM  
**To:** Hilton, Patricia; Anderson, Cindy  
**Cc:** Gottesman, Larry; Maher, Karen  
**Subject:** RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Patricia,

Can we get a copy of any of the responsive material. Thanks.

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-2691

---

**From:** Hilton, Patricia  
**Sent:** Friday, July 26, 2013 1:02 PM  
**To:** Anderson, Cindy  
**Cc:** Gottesman, Larry; Miller, Kevin; Maher, Karen  
**Subject:** RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Hi Cindy,

(b) (5) DPP, (b) (5) ACP

Thanks, Pat

**Patricia Hilton (Pat)**, Special Assistant  
Office of Technology Operations and Planning (OTOP)  
Office of Environmental Information (OEI)  
Office (202) 566-1636  
Fax (202) 566-0319

---

**From:** Anderson, Cindy  
**Sent:** Friday, July 26, 2013 10:19 AM  
**To:** Hilton, Patricia  
**Cc:** Gottesman, Larry; Miller, Kevin  
**Subject:** FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)  
**Importance:** High

Ms. Hilton –

(b) (5) DPP, (b) (5) ACP [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Thanks for your assistance; please feel free to call me.

Cindy Anderson  
EPA/OGC  
(202) 564-2690

**From:** [Minoli, Kevin](#)  
**To:** [McDermott, Marna](#)  
**Subject:** RE: Detailed Billing for Gina McCarthy  
**Date:** Thursday, June 27, 2013 4:06:00 PM

---

Avi wants in on the mtg too.

Kevin S. Minoli  
Acting Principal Deputy General Counsel  
Office of General Counsel  
Main Office Line: 202-564-8064  
Direct Dial: 202-564-5551

-----Original Message-----

From: McDermott, Marna  
Sent: Thursday, June 27, 2013 4:03 PM  
To: Minoli, Kevin; Weinstock, Larry; Miller, Kevin; Ketcham-Colwill, Nancy  
Subject: RE: Detailed Billing for Gina McCarthy

Sure. Larry - Can you give me a call re: who to include. Thanks.

Marna McDermott  
Associate Deputy General Counsel  
U.S. Environmental Protection Agency  
(202) 564-2890

-----Original Message-----

From: Minoli, Kevin  
Sent: Thursday, June 27, 2013 4:02 PM  
To: Weinstock, Larry; Miller, Kevin; Ketcham-Colwill, Nancy  
Cc: McDermott, Marna  
Subject: RE: Detailed Billing for Gina McCarthy

I'm running out the door, but think it would be good for us to have a call on Monday to discuss where we are and the production schedule. Marna, any chance you could have Gail set this up, please? Thanks, Kevin

Kevin S. Minoli  
Acting Principal Deputy General Counsel  
Office of General Counsel  
Main Office Line: 202-564-8064  
Direct Dial: 202-564-5551

-----Original Message-----

From: Weinstock, Larry  
Sent: Thursday, June 27, 2013 3:26 PM  
To: Minoli, Kevin; Miller, Kevin; Ketcham-Colwill, Nancy  
Cc: McDermott, Marna  
Subject: FW: Detailed Billing for Gina McCarthy

(b) (5) DPP

(b) (5) DPP

Larry

-----Original Message-----

From: Reilly, Tom  
Sent: Thursday, June 27, 2013 3:13 PM  
To: Weinstock, Larry  
Subject: FW: Detailed Billing for Gina McCarthy

Larry,

My apologies - I have been tied up with FY14 budget schedules that we had to file this week - (b) (5) DPP

Tom

-----Original Message-----

From: DAVIS, TANIKA  
Sent: Tuesday, June 25, 2013 1:26 PM  
To: Reilly, Tom; Clark, Dee; Grantham, Jessica  
Cc: Aydlett, Dwayne; Lanier, Lynsey; Beaver, William  
Subject: RE: Detailed Billing for Gina McCarthy

Tom,

(b) (5) DPP

Please let me know if you have any questions.

Thanks,

Tanika Davis  
ECS Team - EPA ITS - ACT II Contractor  
Sr. Telecommunications Billing Analyst  
Information Management Group/Mobile Devices Business Office  
Tel: (919) 541-1823  
Fax: (919) 685-3118  
Email: davis.tanika@epa.gov

~~~~~  
PLEASE NOTE If you require Mobile Device related assistance, please use the following contacts:
EZTech Locations - EPA Call Center 866-411-4372 (option 3) or EZTech@epa.gov All Other Locations - EPA Call
Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

-----Original Message-----

From: Reilly, Tom
Sent: Tuesday, June 11, 2013 3:34 PM
To: DAVIS, TANIKA; Clark, Dee; Grantham, Jessica
Cc: Aydlett, Dwayne; Lanier, Lynsey; Beaver, William
Subject: RE: Detailed Billing for Gina McCarthy

Tanika,

Thanks for the information - (b) (5) DPP ?

Tom

-----Original Message-----

From: DAVIS, TANIKA
Sent: Tuesday, June 11, 2013 3:26 PM
To: Reilly, Tom; Clark, Dee; Grantham, Jessica
Cc: Aydlett, Dwayne; Lanier, Lynsey; Beaver, William
Subject: RE: Detailed Billing for Gina McCarthy

Hello Everyone,

(b) (5) DPP

Please let me know if you have any questions.

Thanks,

Tanika Davis
ECS Team - EPA ITS - ACT II Contractor
Sr. Telecommunications Billing Analyst
Information Management Group/Mobile Devices Business Office
Tel: (919) 541-1823
Fax: (919) 685-3118
Email: davis.tanika@epa.gov

~~~~~  
\*\*\*PLEASE NOTE\*\*\* If you require Mobile Device related assistance, please use the following contacts:  
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Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

-----Original Message-----

From: Reilly, Tom  
Sent: Tuesday, June 11, 2013 12:01 PM  
To: DAVIS, TANIKA; Clark, Dee; Grantham, Jessica  
Cc: Aydlett, Dwayne; Lanier, Lynsey; Beaver, William  
Subject: RE: Detailed Billing for Gina McCarthy

Thank you Tanika

-----Original Message-----

From: DAVIS, TANIKA  
Sent: Tuesday, June 11, 2013 11:59 AM  
To: Reilly, Tom; Clark, Dee; Grantham, Jessica  
Cc: Aydlett, Dwayne; Lanier, Lynsey; Beaver, William  
Subject: RE: Detailed Billing for Gina McCarthy

Tom,

I was in a meeting. I am working on that now. I will send as soon as possible.

Thanks,

Tanika Davis

ECS Team - EPA ITS - ACT II Contractor  
Sr. Telecommunications Billing Analyst  
Information Management Group/Mobile Devices Business Office  
Tel: (919) 541-1823  
Fax: (919) 685-3118  
Email: davis.tanika@epa.gov  
~~~~~

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EZTech Locations - EPA Call Center 866-411-4372 (option 3) or EZTech@epa.gov All Other Locations - EPA Call
Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

-----Original Message-----

From: Reilly, Tom
Sent: Tuesday, June 11, 2013 11:28 AM
To: DAVIS, TANIKA; Clark, Dee; Grantham, Jessica
Cc: Aydlett, Dwayne; Lanier, Lynsey; Beaver, William
Subject: RE: Detailed Billing for Gina McCarthy

Tanika,

(b) (5) DPP

Tom

-----Original Message-----

From: DAVIS, TANIKA
Sent: Monday, June 10, 2013 5:39 PM
To: Reilly, Tom; Clark, Dee; Grantham, Jessica
Cc: Aydlett, Dwayne; Lanier, Lynsey; Beaver, William
Subject: RE: Detailed Billing for Gina McCarthy

Hello Everyone,

(b) (5) DPP

Thanks,

Tanika Davis
ECS Team - EPA ITS - ACT II Contractor
Sr. Telecommunications Billing Analyst
Information Management Group/Mobile Devices Business Office
Tel: (919) 541-1823
Fax: (919) 685-3118
Email: davis.tanika@epa.gov
~~~~~

\*\*\*PLEASE NOTE\*\*\* If you require Mobile Device related assistance, please use the following contacts:  
EZTech Locations - EPA Call Center 866-411-4372 (option 3) or EZTech@epa.gov All Other Locations - EPA Call  
Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

-----Original Message-----

From: Reilly, Tom  
Sent: Monday, June 10, 2013 2:02 PM  
To: DAVIS, TANIKA; Clark, Dee; Grantham, Jessica  
Cc: Aydlott, Dwayne; Lanier, Lynsey; Beaver, William  
Subject: RE: Detailed Billing for Gina McCarthy

Tanika,

Give me what you can by the end of today

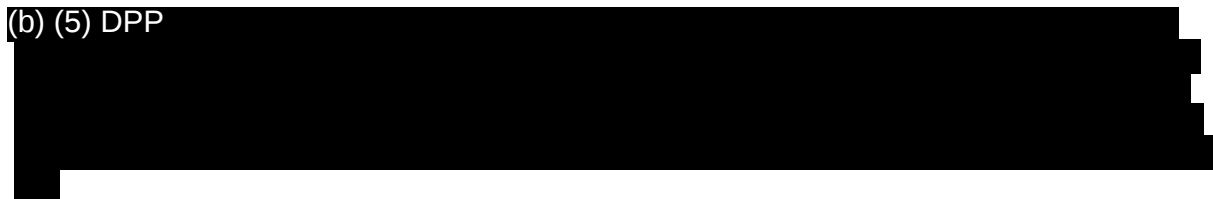
Tom

-----Original Message-----

From: DAVIS, TANIKA  
Sent: Monday, June 10, 2013 2:00 PM  
To: Clark, Dee; Grantham, Jessica  
Cc: Reilly, Tom; Aydlott, Dwayne; Lanier, Lynsey; Beaver, William  
Subject: RE: Detailed Billing for Gina McCarthy

Dee,

(b) (5) DPP



Please advise.

Thanks,

Tanika Davis  
ECS Team - EPA ITS - ACT II Contractor  
Sr. Telecommunications Billing Analyst  
Information Management Group/Mobile Devices Business Office  
Tel: (919) 541-1823  
Fax: (919) 685-3118  
Email: davis.tanika@epa.gov

~~~~~  
PLEASE NOTE If you require Mobile Device related assistance, please use the following contacts:
EZTech Locations - EPA Call Center 866-411-4372 (option 3) or EZTech@epa.gov All Other Locations - EPA Call
Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

-----Original Message-----

From: Clark, Dee
Sent: Monday, June 10, 2013 12:45 PM
To: DAVIS, TANIKA; Grantham, Jessica
Cc: Reilly, Tom; Aydlott, Dwayne; Lanier, Lynsey; Beaver, William
Subject: RE: Detailed Billing for Gina McCarthy

Importance: High

Tanika,

(b) (5) DPP

Thanks,

Dee Clark

WCF Service Manager for MD, YA, LD, LE, & LF ATPOC for TDD 04 & 09 (ITS-ACT II) ITIL v3 Foundation
Level Certified U. S. EPA | OEI | OTOP | EDSD | EPA West - 6312L clark.dee@epa.gov | 202-566-0890 office |
202-297-5756 cell

-----Original Message-----

From: DAVIS, TANIKA

Sent: Monday, June 10, 2013 12:25 PM

To: Clark, Dee; Grantham, Jessica

Cc: Reilly, Tom; Aydlett, Dwayne; Lanier, Lynsey; Beaver, William

Subject: RE: Detailed Billing for Gina McCarthy

Dee,

(b) (5) DPP

Thanks,

Tanika Davis

ECS Team - EPA ITS - ACT II Contractor

Sr. Telecommunications Billing Analyst

Information Management Group/Mobile Devices Business Office

Tel: (919) 541-1823

Fax: (919) 685-3118

Email: davis.tanika@epa.gov

~~~~~  
\*\*\*PLEASE NOTE\*\*\* If you require Mobile Device related assistance, please use the following contacts:  
EZTech Locations - EPA Call Center 866-411-4372 (option 3) or EZTech@epa.gov All Other Locations - EPA Call  
Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

-----Original Message-----

From: Clark, Dee

Sent: Monday, June 10, 2013 11:29 AM

To: Grantham, Jessica; DAVIS, TANIKA

Cc: Reilly, Tom; Aydlett, Dwayne; Lanier, Lynsey; Beaver, William

Subject: FW: Detailed Billing for Gina McCarthy

Jessica/Tanika,

Please provide the requested data today.

Thanks for your hard work on this!!!

Dee Clark

WCF Service Manager for MD, YA, LD, LE, & LF ATPOC for TDD 04 & 09 (ITS-ACT II) ITIL v3 Foundation  
Level Certified U. S. EPA | OEI | OTOP | EDSD | EPA West - 6312L clark.dee@epa.gov | 202-566-0890 office |  
202-297-5756 cell

-----Original Message-----

From: Reilly, Tom  
Sent: Thursday, June 06, 2013 11:10 AM  
To: Clark, Dee  
Subject: FW: Detailed Billing for Gina McCarthy

Dee,

(b) (5) DPP

Tom

-----Original Message-----

From: Slade, Reginald  
Sent: Thursday, June 06, 2013 9:41 AM  
To: Reilly, Tom  
Subject: RE: Detailed Billing for Gina McCarthy

Tom,

(b) (5) DPP

Many thanks,

Reginald A. Slade  
Team Leader/Information Management Officer (IMO) Office of Air and Radiation  
202 564-1346

-----Original Message-----

From: Slade, Reginald  
Sent: Wednesday, June 05, 2013 9:35 AM  
To: Reilly, Tom  
Subject: RE: Detailed Billing for Gina McCarthy

Thanks Tom!

Reginald A. Slade  
Team Leader/Information Management Officer (IMO) Office of Air and Radiation  
202 564-1346

-----Original Message-----

From: Reilly, Tom  
Sent: Wednesday, June 05, 2013 9:25 AM  
To: Slade, Reginald; Noga, Vaughn; Clark, Dee; Grantham, Jessica; DAVIS, TANIKA  
Cc: Simmons, Joseph; Lee, Maja; Aydllett, Dwayne; Beaver, William; Lanier, Lynsey; Salgado, Omayra  
Subject: RE: Detailed Billing for Gina McCarthy

Reggie,

I have the Lockheed guys pulling that for you right now

Tom

-----Original Message-----

From: Slade, Reginald  
Sent: Wednesday, June 05, 2013 9:24 AM  
To: Noga, Vaughn; Clark, Dee; Grantham, Jessica; DAVIS, TANIKA  
Cc: Simmons, Joseph; Lee, Maja; Reilly, Tom; Aydllett, Dwayne; Beaver, William; Lanier, Lynsey; Salgado, Omayra  
Subject: RE: Detailed Billing for Gina McCarthy

Vaughn,

(b) (5) DPP

Thanks.

Reginald A. Slade  
Team Leader/Information Management Officer (IMO) Office of Air and Radiation  
202 564-1346

-----Original Message-----

From: Noga, Vaughn  
Sent: Wednesday, June 05, 2013 9:22 AM  
To: Slade, Reginald; Clark, Dee; Grantham, Jessica; DAVIS, TANIKA  
Cc: Simmons, Joseph; Lee, Maja; Reilly, Tom; Aydllett, Dwayne; Beaver, William; Lanier, Lynsey; Salgado, Omayra  
Subject: RE: Detailed Billing for Gina McCarthy

Reggie,

(b) (5) DPP

?

Vaughn

-----Original Message-----

From: Slade, Reginald  
Sent: Wednesday, June 05, 2013 9:19 AM  
To: Noga, Vaughn; Clark, Dee; Grantham, Jessica; DAVIS, TANIKA  
Cc: Simmons, Joseph; Lee, Maja; Reilly, Tom; Aydllett, Dwayne; Beaver, William; Lanier, Lynsey; Salgado, Omayra  
Subject: RE: Detailed Billing for Gina McCarthy

Vaughn,

(b) (5) DPP

Many thanks,

Reginald A. Slade  
Team Leader/Information Management Officer (IMO) Office of Air and Radiation  
202 564-1346

-----Original Message-----

From: Noga, Vaughn  
Sent: Tuesday, June 04, 2013 3:50 PM  
To: Slade, Reginald; Clark, Dee; Grantham, Jessica; DAVIS, TANIKA  
Cc: Simmons, Joseph; Lee, Maja; Reilly, Tom; Aydlett, Dwayne; Beaver, William; Lanier, Lynsey  
Subject: Re: Detailed Billing for Gina McCarthy

Thank you.

Team - please provide an ETA for the info.

---

From: Slade, Reginald  
Sent: Tuesday, June 04, 2013 12:59:28 PM  
To: Noga, Vaughn; Clark, Dee; Grantham, Jessica; DAVIS, TANIKA  
Cc: Simmons, Joseph; Lee, Maja; Reilly, Tom; Aydlett, Dwayne; Beaver, William; Lanier, Lynsey  
Subject: RE: Detailed Billing for Gina McCarthy

Officially less than 20 working days. Since the request is for Gina, her Chief of Staff is anticipating that to mean this week, if possible.

Thanks,

Reginald A. Slade  
Team Leader/Information Management Officer (IMO) Office of Air and Radiation  
202 564-1346

-----Original Message-----

From: Noga, Vaughn  
Sent: Tuesday, June 04, 2013 12:54 PM  
To: Clark, Dee; Grantham, Jessica; DAVIS, TANIKA  
Cc: Slade, Reginald; Simmons, Joseph; Lee, Maja; Reilly, Tom; Aydlett, Dwayne; Beaver, William; Lanier, Lynsey  
Subject: RE: Detailed Billing for Gina McCarthy

Is there a suspense date associated with this request?

-----Original Message-----

From: Clark, Dee  
Sent: Tuesday, June 04, 2013 11:38 AM  
To: Grantham, Jessica; DAVIS, TANIKA  
Cc: Slade, Reginald; Simmons, Joseph; Noga, Vaughn; Lee, Maja; Reilly, Tom; Aydlett, Dwayne; Beaver, William; Lanier, Lynsey  
Subject: FW: Detailed Billing for Gina McCarthy  
Importance: High

Jessica/Tanika,

Please provide the Call Detail Records (CDRs) requested by OAR for Gina McCarthy.

Thanks,

Dee Clark

WCF Service Manager for MD, YA, LD, LE, & LF ATPOC for TDD 04 & 09 (ITS-ACT II) ITIL v3 Foundation  
Level Certified U.S. EPA | OEI |OTOP | EDSO | EPA West - 6312L | clark.dee@epa.gov | 202-566-0890 office  
|202-297-5756 cell

---

From: Simmons, Joseph  
Sent: Tuesday, June 04, 2013 9:57 AM  
To: EPA Call Center with questions  
Cc: Clark, Dee; Slade, Reginald  
Subject: Detailed Billing for Gina McCarthy

This message is to request detailed billing for Gina McCarthy's mobile devices for the dates of July 1, 2009 to June 30, 2012. The devices are:

1. AT&T Torch - phone number (202) 596-0247/PIN 25D417C4.
2. Verizon Cell Phone - phone number (202) 596-4548.

This request is in response to a FOIA request from Congress. Feel free to contact me if you have any questions or concerns.

Thanks

Joseph  
OAR/OPMO  
202-564-1296

**From:** [Anderson, Cindy](#)  
**To:** [Bennett, Karen](#)  
**Subject:** RE: CEI v. EPA (13-1074) invoices for text message billing for Gina McCarthy's blackberry  
**Date:** Wednesday, September 25, 2013 10:10:00 AM

---

Thanks Karen.

(b)(5) AWP, (b)(5) DP, (b)(5) ACP

[REDACTED]

Cindy  
564-2690

---

**From:** Bennett, Karen  
**Sent:** Tuesday, September 24, 2013 5:49 PM  
**To:** Anderson, Cindy  
**Subject:** RE: CEI v. EPA (13-1074) invoices for text message billing for Gina McCarthy's blackberry

(b)(5) AWP, (b)(5) DP, (b)(5) ACP

[REDACTED]

[REDACTED]

---

**From:** Anderson, Cindy  
**Sent:** Tuesday, September 24, 2013 4:22 PM  
**To:** Bennett, Karen  
**Subject:** CEI v. EPA (13-1074) invoices for text message billing for Gina McCarthy's blackberry

Karen –

Thanks so much for pitching in to help with this project. (b)(5) DPP, (b)(5) AWP

[REDACTED]

Please call or come by if you have any questions.

And, again, many thanks!

Cindy  
564-2690

---

**From:** Anderson, Cindy  
**Sent:** Thursday, September 19, 2013 4:29 PM  
**To:** McDermott, Marna  
**Cc:** Miller, Kevin  
**Subject:** Friday meeting w/Kevin Miller: EPA Invoices for billing for Gina McCarthy's mobile device

Marna –

Kevin asked me to send the set of documents that are attached:

(b)(5) ACP, DPP

A large black rectangular redaction box covers the content of the email. The text "(b)(5) ACP, DPP" is visible at the top left of the redacted area.

Also below is some background information from EPA's contractor who is responsible for mobile device billing; she is in RTP and under OTOP.

Cindy  
564-2690

---

**From:** DAVIS, TANIKA  
**Sent:** Thursday, September 19, 2013 3:51 PM  
**To:** Clark, Dee; Reilly, Tom  
**Subject:** EPA Invoices

Here is a breakdown of what EPA receives monthly from the vendors:

AT&T

1. Remittance sheet sent to EPA Finance by AT&T Account Rep
2. Access to monthly data via the online portal
  - a. ECS downloads the raw billing data that is used for workload and the PDF version of the invoice

Verizon

1. Remittance sheet sent to EPA Finance by Verizon Account Rep
2. Access to monthly data via online portal
  - a. ECS downloads the raw billing data zip file that is used for workload and the PDF version of the invoice

T-Mobile

1. Paper invoice sent to EPA Finance
2. Access to monthly data via online portal
  - a. ECS downloads the raw billing data only, no PDF version of the invoice available

Sprint

1. Paper invoice sent to EPA Finance

2. Access to monthly data via online portal
  - a. ECS downloads zip file which includes PDF version of the invoice
3. Sprint Account rep send UAD raw data billing file to Tanika Davis monthly (used for workload)

Let me know if you have questions.

*Tanika Davis*

ECS Team - EPA ITS - ACT II Contractor  
Sr. Telecommunications Billing Analyst  
Information Management Group/Mobile Devices Business Office  
Tel: (919) 541-1823  
Fax: (919) 685-3118  
Email: [davis.tanika@epa.gov](mailto:davis.tanika@epa.gov)

~~~~~

*****PLEASE NOTE***** If you require Mobile Device related assistance, please use the following contacts:
EZTech Locations - EPA Call Center 866-411-4372 (option 3) or EZTech@epa.gov
All Other Locations - EPA Call Center at 866-411-4EPA or EPACALLCENTER@epa.gov

Act mindfully. Accept entirely. Move strongly. Think softly. Speak beautifully. Live simply. Love completely.

From: [Anderson, Cindy](#)
To: [Miller, Kevin](#)
Subject: (CEI) FW: New FOIA ASsignment - EPA-HQ-2013-009249
Date: Wednesday, September 04, 2013 10:18:39 AM
Attachments: [EPA-HQ-2013-009249.pdf](#)
[Horner \(McCarthy Phone PDA Bills Dec 23, 2009, July 5, 2011\)\(a\).pdf](#)
[Horner \(McCarthy Phone PDA Bills Dec 23, 2009, July 5, 2011\)\(b\).pdf](#)
[Horner \(McCarthy Phone PDA Bills Dec 23, 2009, July 5, 2011\)\(c\).pdf](#)
Importance: High

Here's the new FOIA request from CEI (dated Aug. 8) for complete Gina McC phone/pda bills for just 2 billing periods.

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Cindy
564-2690

From: Weinstock, Larry
Sent: Wednesday, August 28, 2013 9:58 AM
To: Anderson, Cindy
Subject: FW: New FOIA ASsignment - EPA-HQ-2013-009249

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED]

Larry

From: Faulkner, Martha
Sent: Tuesday, August 27, 2013 4:00 PM
To: Simms, Shavonne
Cc: Weinstock, Larry; Ketcham-Colwill, Nancy; Hammond, Gloria; Hamilton, Sabrina; Meekins, Tanya
Subject: New FOIA ASsignment - EPA-HQ-2013-009249

Hello Shavonne,

This is an email to let you know that you have a FOIA online assignment for the attached case file.
Thanks

Martha

From: [Anderson, Cindy](#)
To: [Minoli, Kevin](#)
Cc: [Miller, Kevin](#)
Subject: RE: Release to CEI of text message invoices (Fri Dec. 6)
Date: Tuesday, December 03, 2013 3:53:13 PM
Importance: High

Thanks Kevin.

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

[REDACTED]

[REDACTED]

[REDACTED] ?

Cindy
564-2690

From: Minoli, Kevin
Sent: Tuesday, December 03, 2013 3:50 PM
To: Anderson, Cindy
Cc: Miller, Kevin
Subject: Re: Release to CEI of text message invoices (Fri Dec. 6)

Hi Cindy- I am at the SES mtg all day tomorrow. It is supposed to end at 4:00. I can call into a mtg at 5:00. Kevin

Kevin S. Minoli
Acting Principal Associate General Counsel
Office of General Counsel
Main Line: 564-8064
Direct Dial: 564-5551

From: Anderson, Cindy
Sent: Tuesday, December 03, 2013 3:48:17 PM
To: Minoli, Kevin
Cc: Miller, Kevin
Subject: FW: Release to CEI of text message invoices (Fri Dec. 6)

Kevin --

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

Thanks!

Cindy

564-2690

From: Anderson, Cindy
Sent: Tuesday, December 03, 2013 3:12 PM
To: Miller, Kevin
Subject: Release to CEI of text message invoices (Fri Dec. 6)
Importance: High

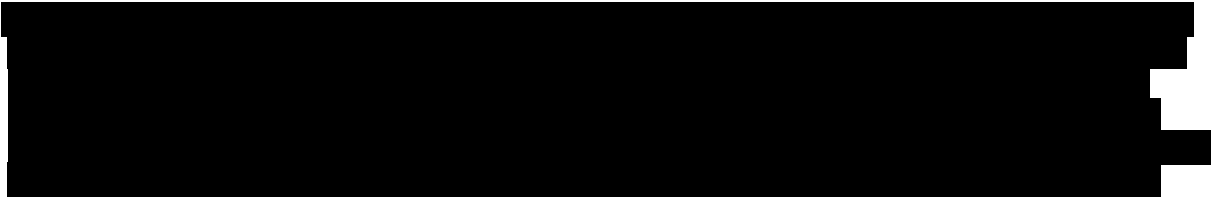
Kevin --

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

Cindy Anderson
EPA/OGC
(202) 564-2690

From: [Minoli, Kevin](#)
To: [McDermott, Marna](#); [Kelly, Lynn](#); [Miller, Kevin](#)
Subject: RE: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC
Date: Thursday, October 17, 2013 1:16:00 PM

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP



Kevin S. Minoli
Acting Principal Associate General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

-----Original Message-----

From: McDermott, Marna
Sent: Thursday, October 17, 2013 1:08 PM
To: Kelly, Lynn; Minoli, Kevin; Miller, Kevin
Subject: RE: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP



Marna McDermott
Associate Deputy General Counsel
U.S. Environmental Protection Agency
(202) 564-2890

-----Original Message-----

From: Kelly, Lynn
Sent: Thursday, October 17, 2013 12:47 PM
To: Minoli, Kevin; Miller, Kevin; McDermott, Marna
Subject: RE: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC

Kevin,

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP
[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-3266 The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. If you are not the intended recipient, or believe you have received this communication in error, please delete the copy you received, and do not print, copy, retransmit, disseminate, or otherwise use the information. Thank you.

-----Original Message-----

From: Minoli, Kevin
Sent: Thursday, October 17, 2013 11:33 AM
To: Miller, Kevin; McDermott, Marna
Cc: Kelly, Lynn
Subject: RE: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP
[Redacted]

(b) (5) DPP, (b) (5) ACP (b) (5) AWP. Thanks, Kevin

Kevin S. Minoli
Acting Principal Associate General Counsel Office of General Counsel Main Office Line: 202-564-8064 Direct
Dial: 202-564-5551

-----Original Message-----

From: Miller, Kevin
Sent: Thursday, October 17, 2013 11:30 AM
To: Minoli, Kevin; McDermott, Marna
Cc: Kelly, Lynn
Subject: RE: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

Thanks.

Kevin

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A |
Washington DC 20460 | phone: (202) 564-2691

-----Original Message-----

From: Minoli, Kevin
Sent: Thursday, October 17, 2013 11:04 AM
To: Miller, Kevin; McDermott, Marna
Subject: RE: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC

Thanks. (b) (5) DPP, (b) (5) ACP, (b) (5) AWP. Welcome back!

Kevin S. Minoli
Acting Principal Associate General Counsel Office of General Counsel Main Office Line: 202-564-8064 Direct
Dial: 202-564-5551

-----Original Message-----

From: Miller, Kevin
Sent: Thursday, October 17, 2013 10:50 AM
To: McDermott, Marna; Minoli, Kevin
Subject: FW: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC

New CEI complaint concerning a text message FOIA. We are taking a look at this now. Lynn will be the lead.

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A |
Washington DC 20460 | phone: (202) 564-2691

-----Original Message-----

From: Grady, Mary
Sent: Thursday, October 17, 2013 10:40 AM
To: Miller, Kevin; Albright, Scott

Subject: Competitive Enterprise Institute v. United States Environmental Protection Agency 1:13cv1532 D. DC

You probably already have this compliant, but just in case... Mary

From: [Anderson, Cindy](#)
To: [Minoli, Kevin](#)
Cc: [McDermott, Marna](#); [Miller, Kevin](#)
Subject: Horner/CEI NEW FOIA "Heads up on a New FOAI Assignment (EPA-HQ-2014-002006)"
Date: Monday, January 06, 2014 1:01:41 PM
Importance: High

Kevin and Marna -

My computer has been replaced over last week so I'm just now able to open Outlook - and still awaiting Adobe X and other applications to be loaded.

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks!

Cindy Anderson
(202) 564-2690

-----Original Message-----

From: Reilly, Tom
Sent: Monday, January 06, 2014 12:13 PM
To: Weinstock, Larry; Clark, Dee; Dollison, Lawrence A.; Beaver, William; Slade, Reginald; Simmons, Joseph
Cc: DAVIS, TANIKA; Grantham, Jessica; Anderson, Cindy
Subject: RE: Heads up on a New FOAI Assignment (EPA-HQ-2014-002006)

Larry,

(b) (5) DPP, (b) (5) ACP

[REDACTED]

Tom

-----Original Message-----

From: Weinstock, Larry
Sent: Monday, January 06, 2014 12:10 PM
To: Reilly, Tom; Clark, Dee; Dollison, Lawrence A.; Beaver, William; Slade, Reginald; Simmons, Joseph
Cc: DAVIS, TANIKA; Grantham, Jessica; Anderson, Cindy
Subject: RE: Heads up on a New FOAI Assignment (EPA-HQ-2014-002006)

(b) (5) DPP, (b) (5) ACP

[REDACTED]

(b) (5) DPP, (b) (5) ACP ?

-----Original Message-----

From: Reilly, Tom

Sent: Monday, January 06, 2014 12:05 PM

To: Weinstock, Larry; Clark, Dee; Dollison, Lawrence A.; Beaver, William; Slade, Reginald; Simmons, Joseph

Cc: DAVIS, TANIKA; Grantham, Jessica; Anderson, Cindy

Subject: RE: Heads up on a New FOAI Assignment (EPA-HQ-2014-002006)

Larry,

(b) (5) DPP, (b) (5) ACP

Tom

-----Original Message-----

From: Weinstock, Larry

Sent: Monday, January 06, 2014 12:03 PM

To: Clark, Dee; Dollison, Lawrence A.; Beaver, William; Slade, Reginald; Simmons, Joseph

Cc: DAVIS, TANIKA; Grantham, Jessica; Reilly, Tom

Subject: RE: Heads up on a New FOAI Assignment (EPA-HQ-2014-002006)

Hi Cindy,

(b) (5) DPP, (b) (5) ACP

Larry

-----Original Message-----

From: Clark, Dee

Sent: Monday, January 06, 2014 11:37 AM

To: Dollison, Lawrence A.; Beaver, William; Weinstock, Larry; Slade, Reginald; Simmons, Joseph

Cc: DAVIS, TANIKA; Grantham, Jessica; Reilly, Tom

Subject: RE: Heads up on a New FOAI Assignment (EPA-HQ-2014-002006)

Hi Larry,

(b) (5) DPP, (b) (5) ACP

Thanks,

Dee Clark

WCF Service Manager for MD

ATPOC for 09 (ITS-ACT II)

Atlernate PO for ITS-ACT II

ITIL v3 Foundation Level Certified

U. S. EPA | OEI | OTOP | EDSD | EPA West - 6312L clark.dee@epa.gov | 202-566-0890 office | 202-297-5756 cell

-----Original Message-----

From: Dollison, Lawrence A.

Sent: Monday, January 6, 2014 9:42 AM

To: Beaver, William; Clark, Dee; Weinstock, Larry; Slade, Reginald; Simmons, Joseph
Cc: DAVIS, TANIKA; Grantham, Jessica
Subject: FW: Heads up on a New FOAI Assignment (EPA-HQ-2014-002006)

EPA has received the attached FOIA from Chris Horner. It is a follow-up from an earlier FOIA concerning Gina's text bill. The bill showed that all of the people listed below received or sent texts to Gina. As a result Mr. Horner is asking for all the text messages, on EPA provided cell phones from the following people:

- 1) Joe Goffman, Senior Counsel OAR
- 2) Janet McCabe
- 3) Margo Oge, OTAQ (retired late 2012)
- 4) Cindy Huang, Staff Assistant To the Assistant Administrator
- 5) Scott Fulton, former EPA General Counsel
- 6) Steve Page, Director, OAQPS, Research Triangle Park (RTP)
- 7) Peter Tsirigotis, Director, Sector Policies and Programs Division, OAR:OAQPS, RTP
- 8) Mike Flynn, Director, Office of Radiation and Indoor Air, EPA HQ
- 9) Bob Perciasepe
- 10) Curt Spalding, Regional Administrator EPA Region
- 11) Nancy Grantham, Director, EPA RI, Office of Public Affairs
- 12) Ira W. Leighton, former deputy RA, Region

(b) (5) DPP, (b) (5) ACP



Thanks
Larry Weinstock

Program Innovation Coordinator

Office of Air and Radiation

202-564-9226

From: [Anderson, Cindy](#)
To: [Anderson, Cindy](#); [Weinstock, Larry](#); [Gottesman, Larry](#)
Cc: [Newton, Jonathan](#); [Ketcham-Colwill, Nancy](#); [Miller, Kevin](#); [Hamilton, Sabrina](#)
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858
Date: Thursday, June 06, 2013 10:05:04 AM
Importance: High

All –

(b) (5) DPP, (b) (5) ACP



Thanks so much Larry!

Cindy Anderson
EPA/OGC
(202) 564-2690

From: Anderson, Cindy
Sent: Thursday, June 06, 2013 9:51 AM
To: Weinstock, Larry; Gottesman, Larry
Cc: Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy; Miller, Kevin; Hamilton, Sabrina
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858
Importance: High

Larry Weinstock (and Larry Gotteman)

(b) (5) DPP, (b) (5) ACP



Cindy
564-2690

From: Weinstock, Larry
Sent: Thursday, June 06, 2013 9:46 AM
To: Gottesman, Larry
Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy; Miller, Kevin; Anderson, Cindy; Hamilton, Sabrina
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

Larry,

(b)(5) DPP

A large rectangular area of the document is redacted with a solid black box. The redaction covers approximately four lines of text.

Larry Weinstock

From: Miller, Kevin
Sent: Thursday, June 06, 2013 9:41 AM
To: Weinstock, Larry; Anderson, Cindy; Hamilton, Sabrina
Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy; Gottesman, Larry
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

All,

(b) (5) DPP, (b) (5) ACP

A large rectangular area of the document is redacted with a solid black box. The redaction covers approximately six lines of text. The text ". Thanks." is visible at the end of the redacted block.

Kevin

From: Weinstock, Larry
Sent: Wednesday, June 05, 2013 1:57 PM
To: Anderson, Cindy; Hamilton, Sabrina; Miller, Kevin
Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

(b) (5) DPP, (b) (5) ACP

A large rectangular area of the document is redacted with a solid black box. The redaction covers approximately three lines of text.

(b) (5) DPP, (b) (5) ACP

Thanks

Larry

From: Anderson, Cindy

Sent: Tuesday, June 04, 2013 5:30 PM

To: Anderson, Cindy; Weinstock, Larry; Hamilton, Sabrina; Miller, Kevin

Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy

Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

All –

(b) (5) DPP, (b) (5) ACP

Thanks!

Cindy

564-2690

From: Anderson, Cindy

Sent: Tuesday, June 04, 2013 2:24 PM

To: Weinstock, Larry; Hamilton, Sabrina; Miller, Kevin

Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy

Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

(b) (5) DPP, (b) (5) ACP

(b) (5) DPP, (b) (5) ACP

I'll try to look more at this much later this afternoon, but frankly I don't have time to parse it out.

Cindy
564-2690

From: Weinstock, Larry
Sent: Tuesday, June 04, 2013 2:20 PM
To: Anderson, Cindy; Hamilton, Sabrina; Miller, Kevin
Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

(b) (5) DPP, (b) (5) ACP

Larry

From: Anderson, Cindy
Sent: Tuesday, June 04, 2013 2:19 PM
To: Weinstock, Larry; Hamilton, Sabrina; Miller, Kevin
Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858
Importance: High

Thanks all –

(b) (5) DPP, (b) (5) ACP

Thanks!

Cindy Anderson
EPA/OGC
(202) 564-2690

From: Weinstock, Larry
Sent: Tuesday, June 04, 2013 2:11 PM
To: Hamilton, Sabrina; Anderson, Cindy
Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

(b) (5) DPP [REDACTED]

Larry

From: Hamilton, Sabrina
Sent: Tuesday, June 04, 2013 1:25 PM
To: Anderson, Cindy
Cc: johnson, karen; Newton, Jonathan; Boyd, Rory; Noonan, Jenny; Walker, Jean; Ketcham-Colwill, Nancy; Weinstock, Larry
Subject: FW: FOIA Assignment - EPA-HQ-2013-006858

Cindy,

(b) (5) DPP [REDACTED]

[REDACTED]

Sabrina

From: Weinstock, Larry
Sent: Tuesday, June 04, 2013 9:17 AM
To: Faulkner, Martha
Cc: Ketcham-Colwill, Nancy; Hammond, Gloria; Hamilton, Sabrina
Subject: RE: FOIA Assignment - EPA-HQ-2013-006858

(b) (5) DPP [REDACTED]

Thanks

Larry

From: Faulkner, Martha
Sent: Monday, June 03, 2013 2:32 PM
To: Weinstock, Larry
Cc: Ketcham-Colwill, Nancy; Hammond, Gloria; Hamilton, Sabrina
Subject: FOIA Assignment - EPA-HQ-2013-006858

Hello Larry,

Please check FOIA on line for the attached case file. Please let me know if it doesn't show up in your unassigned case box. Thanks

Martha

From: Faulkner, Martha
Sent: Monday, June 03, 2013 2:32 PM
To: Weinstock, Larry
Cc: Ketcham-Colwill, Nancy; Hammond, Gloria; Hamilton, Sabrina
Subject: FOIA Assignment - EPA-HQ-2013-006858

Hello Larry,

Please check FOIA on line for the attached case file. Please let me know if it doesn't show up in your unassigned case box. Thanks

Martha

From: Hamilton, Sabrina
Sent: Tuesday, June 04, 2013 12:43 PM
To: Weinstock, Larry
Cc: Noonan, Jenny; Russell, Sherry; Walker, Jean; Ketcham-Colwill, Nancy
Subject: FW: Request under the Freedom of Information Act – Certain Agency Records re: "Battelle", "AAPCA" -- EPA-HQ-2013-006005

Larry,

(b) (5) DPP [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] ?

Sabrina

From: Jones, Mike
Sent: Tuesday, May 21, 2013 12:56 PM
To: Russell, Sherry
Cc: Noonan, Jenny; Hamilton, Sabrina
Subject: RE: Request under the Freedom of Information Act – Certain Agency Records re: "Battelle", "AAPCA" -- EPA-HQ-2013-006005

Sherry... sorry this took so long (was out of the office 5/16 – 5/20). (b) (5) DPP [REDACTED]
[REDACTED] Mike

Michael N Jones

Acquisition and Accountability
Central Operations and Resources
Office of Air Quality Planning and Standards
(919) 541-0528

From: Russell, Sherry
Sent: Thursday, May 16, 2013 3:26 PM
To: Jones, Mike
Subject: FW: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA” -- EPA-HQ-2013-006005

Hi Mike,

(b) (5) DPP

. Thanks.

Sherry Russell
Program Management Analyst
Policy Analysis & Communications Staff
Office of Air Quality Planning and Standards
Phone: 919-541-0306
Fax: 919-541-2464

From: Curry, Jeff
Sent: Thursday, May 16, 2013 1:39 PM
To: Russell, Sherry
Subject: RE: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA” -- EPA-HQ-2013-006005

Sherry:

(b) (5) DPP

Thanks.
Jeff
919-541-4018

***** NOTICE OF CONFIDENTIALITY *****
This message may contain information that is confidential, deliberative, or
subject to the Privacy Act (5 USC 552a) and should be treated accordingly.

From: Russell, Sherry
Sent: Tuesday, May 14, 2013 1:37 PM
To: Curry, Jeff
Subject: RE: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA” -- EPA-HQ-2013-006005

(b) (5) DPP

? Thanks.

Sherry Russell
Program Management Analyst
Policy Analysis & Communications Staff
Office of Air Quality Planning and Standards
Phone: 919-541-0306
Fax: 919-541-2464

From: Curry, Jeff
Sent: Tuesday, May 14, 2013 1:28 PM
To: Russell, Sherry
Subject: RE: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA” -- EPA-HQ-2013-006005

Sherry:

(b) (5) DPP

?

Thanks.
Jeff
919-541-4018

***** NOTICE OF CONFIDENTIALITY *****
This message may contain information that is confidential, deliberative, or
subject to the Privacy Act (5 USC 552a) and should be treated accordingly.

From: Russell, Sherry
Sent: Tuesday, May 14, 2013 11:18 AM
To: Jones, Mike; Curry, Jeff
Cc: Noonan, Jenny
Subject: FW: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA” -- EPA-HQ-2013-006005

Hi Mike and Jeff,

Please see the attached FOIA Request. Kay said that it should go to you guys for action. I will soon be receiving this as a task in FOIAonline from the Administrator’s Office, and will send you more information on due dates, etc. once received. This is just a heads-up. Thanks.

Sherry Russell
Program Management Analyst
Policy Analysis & Communications Staff
Office of Air Quality Planning and Standards
Phone: 919-541-0306
Fax: 919-541-2464

From: Anderson, Cindy
Sent: Tuesday, May 14, 2013 10:29 AM
To: Hamilton, Sabrina
Cc: Koehler, Alfred; Miller, Kevin
Subject: RE: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA” -- EPA-HQ-2013-006005

Importance: High

Sabrina –

Thanks so much for taking this on.

I have your more recent email message to me as well.

(b) (5) DPP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Again, thanks so much for being such a responsible person.

Cindy

564-2690

From: Hamilton, Sabrina

Sent: Tuesday, May 14, 2013 10:21 AM

To: Russell, Sherry; Newton, Jonathan; Boyd, Rory

Cc: Anderson, Cindy; Koehler, Alfred; Miller, Kevin

Subject: FW: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA” -- EPA-HQ-2013-006005

Sherry,

(b) (5) DPP

[REDACTED]

[REDACTED]

[REDACTED]. Thanks,

Sabrina

From: Anderson, Cindy

Sent: Thursday, May 02, 2013 2:45 PM

To: Hamilton, Sabrina

Subject: FW: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA”

Sabrina –

Here’s the FOIA-online number – in messages below.

(b) (5) DPP



Thanks for your help on this!

cindy

From: Miller, Kevin

Sent: Wednesday, May 01, 2013 12:17 PM

To: Anderson, Cindy

Subject: FW: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA”

Pretty sure this is the one you mentioned --

From: Gottesman, Larry

Sent: Wednesday, May 01, 2013 12:11 PM

To: Miller, Kevin

Subject: FW: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA”

From: LindaE Green [<mailto:Green.LindaE@epamail.epa.gov>] **On Behalf Of** FOIA HQ

Sent: Wednesday, May 01, 2013 11:57 AM

To: Gottesman, Larry

Subject: Fw: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA”

Larry,

The below request has been assigned tracking number EPA-HQ-2013-006005.

Linda

----- Forwarded by LindaE Green/DC/USEPA/US on 05/01/2013 11:54 AM -----

From: Chris Horner <chornerlaw@aol.com>

To: FOIA HQ@EPA

Date: 04/25/2013 10:32 AM

Subject: Request under the Freedom of Information Act – Certain Agency Records re: “Battelle”, “AAPCA”

To EPA HQ FOIA Office,

Please see the request under the Freedom of Information Act attached in PDF format. If you have any questions please do not hesitate to contact me.

Yours,
Chris Horner
American Tradition Institute

The information contained in this message may be privileged. This transmission is therefore intended by the sender to be confidential and intended only for the proper recipient. If you are not the intended recipient distribution of this message is prohibited. *(See attached file: ATI EPA Battelle FOI Request.pdf)*

From: [Ketcham-Colwill, Nancy](#)
To: [Weinstock, Larry](#); [Kelly, Lynn](#)
Cc: [Miller, Kevin](#)
Subject: RE: Final Response attached
Date: Wednesday, July 10, 2013 10:22:51 AM

(b) (5) DPP, (b) (5) ACP

. Thanks.

From: Weinstock, Larry
Sent: Wednesday, July 10, 2013 9:04 AM
To: Kelly, Lynn; Ketcham-Colwill, Nancy
Cc: Miller, Kevin
Subject: RE: Final Response attached

(b) (5) DPP, (b) (5) ACP

Thanks
Larry

From: Kelly, Lynn
Sent: Wednesday, July 10, 2013 8:55 AM
To: Ketcham-Colwill, Nancy; Weinstock, Larry
Cc: Miller, Kevin
Subject: RE: Final Response attached

(b) (5) DPP, (b) (5) ACP

How does that sound?

Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A
| Washington DC 20460 | phone: (202) 564-3266

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work

product, or otherwise privileged material. If you are not the intended recipient, or believe you have received this communication in error, please delete the copy you received, and do not print, copy, retransmit, disseminate, or otherwise use the information. Thank you.

From: Ketcham-Colwill, Nancy
Sent: Tuesday, July 09, 2013 6:23 PM
To: Kelly, Lynn; Weinstock, Larry
Cc: Miller, Kevin
Subject: RE: Final Response attached

Thanks, Lynn. (b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED] ?

From: Kelly, Lynn
Sent: Tuesday, July 09, 2013 4:50 PM
To: Weinstock, Larry; Ketcham-Colwill, Nancy
Cc: Miller, Kevin
Subject: RE: Final Response attached

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] ?

Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A
| Washington DC 20460 | phone: (202) 564-3266

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From: Weinstock, Larry
Sent: Tuesday, July 09, 2013 10:10 AM
To: Ketcham-Colwill, Nancy; Kelly, Lynn
Cc: Miller, Kevin
Subject: RE: Final Response attached

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED] ?

Larry

From: Ketcham-Colwill, Nancy
Sent: Monday, July 08, 2013 5:24 PM
To: Kelly, Lynn
Cc: Weinstock, Larry; Miller, Kevin
Subject: RE: Final Response attached

(b) (5) DPP, (b) (5) ACP

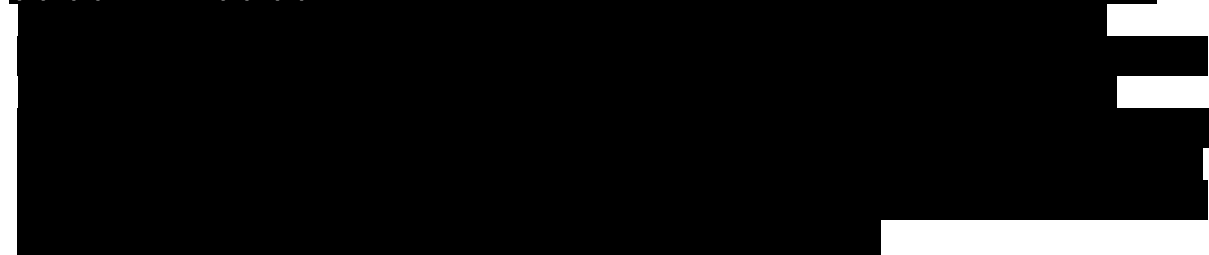


?

From: Kelly, Lynn
Sent: Monday, July 08, 2013 11:53 AM
To: Ketcham-Colwill, Nancy
Cc: Weinstock, Larry; Miller, Kevin
Subject: FW: Final Response attached

Nancy,

(b) (5) DPP, (b) (5) ACP



Thanks, and I hope you had a pleasant holiday.

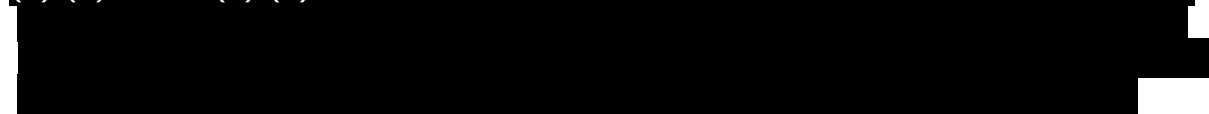
Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A
| Washington DC 20460 | phone: (202) 564-3266

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From: Kelly, Lynn
Sent: Monday, July 08, 2013 11:46 AM
To: Weinstock, Larry
Subject: FW: Final Response attached

Larry,

(b) (5) DPP, (b) (5) ACP



Thanks,

Lynn Kelly | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | ARN, Mail Code 2377A
| Washington DC 20460 | phone: (202) 564-3266

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. If you are not the intended recipient, or believe you have received this communication in error, please delete the copy you received, and do not print, copy, retransmit, disseminate, or otherwise use the information. Thank you.

From: LindaE Green [<mailto:Green.LindaE@epamail.epa.gov>] **On Behalf Of** FOIA HQ
Sent: Monday, July 08, 2013 11:41 AM
To: Kelly, Lynn
Subject: Fw: Final Response attached

Lynn,

(b) (5) DPP, (b) (5) ACP

Thank you.

Linda E. Green

Office of Environmental Information
U.S. Environmental Protection Agency
(202) 566-1667
email: green.lindae@epa.gov

----- Forwarded by LindaE Green/DC/USEPA/US on 07/08/2013 11:39 AM -----

From: Christopher Horner <chris.horner@cei.org>
To: FOIA HQ@EPA
Date: 07/03/2013 02:11 PM
Subject: Re: Final Response attached

Dear Larry,

Thank you for this, and your inquiry. We do have a "problem" with the letter, which I believe you can readily clear up. It is a question the letter's wording does not answer and indeed begs. In the absence of an answer I am afraid this letter does not sufficiently indicate it responded to the request at issue.

A reader can not tell from the response letter that request 2013-006939 sought and EPA searched for EPA-related texts sent to or from McCarthy's **non-EPA- issued phone(s)/PDA(s)**. This request sought such texts over the same 18 days as the (already responded to) request No 2013-006005, a request for texts sent to or from Ms. McCarthy's **EPA-issued phone/PDA**. Today's "no records" letter's description of our request and allusion to EPA's search is identical to that provided in response to -006005, although our requested searches are indeed materially distinct.

These responses, being identical but for changing only the FOIA request number and date, offer no indication EPA treated these substantively distinct requests as distinct requests; that EPA searched the identified location for potentially responsive records in response to -006939. As this area of FOIA policy is apparently controversial, with ever-increasing examples of EPA staff using private resources to conduct official business, this is not only a material distinction but represents a problem with EPA's response. As you also may know, my experience is that EPA has on recent occasion transposed the FOIA numbers among various requests. As such, that one distinction in an otherwise identical response is not dispositive.

Absent any indication that EPA in fact searched Ms. McCarthy's non-EPA phone(s)/PDA(s) we have no way to assess the reasonableness of the search. As such, we believe the response is insufficient.

Therefore please inform us in writing whether EPA searched McCarthy's non-EPA- issued phone(s)/PDA(s) as the request, which I reattach, sought.

I look forward to your response. If you have any questions please do not hesitate to contact me.

Best,
Chris Horner
202.262.4458 M

On 7/3/13 1:17 PM, "hq.foia@epa.gov" <hq.foia@epa.gov> wrote:

Please see attached file. Please email me if you have a problem with the attachment at weinstock.larry@epa.gov.

07/03/2013 01:15 PM

FOIA Request: EPA-HQ-2013-006939

(See attached file: CEI EPA McCarthy Personal PDA Text Message FOIA.pdf)

From: [Minoli, Kevin](#)
To: [Anderson, Cindy](#); [Bloomgren, David](#)
Cc: [Miller, Kevin](#)
Subject: RE: ATI v. EPA (13-112) ["Sierra Club" & "ALA"]
Date: Friday, December 13, 2013 4:35:15 PM

Ex. 5 DPP,

Kevin S. Minoli
Acting Principal Associate General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

From: Anderson, Cindy
Sent: Friday, December 13, 2013 4:34 PM
To: Minoli, Kevin; Bloomgren, David
Cc: Miller, Kevin
Subject: RE: ATI v. EPA (13-112) ["Sierra Club" & "ALA"]

Ex. 5 DPP, AWP

Cindy
564-2690

From: Minoli, Kevin
Sent: Friday, December 13, 2013 4:33 PM
To: Anderson, Cindy; Bloomgren, David
Cc: Miller, Kevin
Subject: RE: ATI v. EPA (13-112) ["Sierra Club" & "ALA"]

Thanks. **Ex. 5 DPP, AWP**

Kevin S. Minoli
Acting Principal Associate General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

From: Anderson, Cindy
Sent: Friday, December 13, 2013 4:31 PM
To: Minoli, Kevin; Bloomgren, David
Cc: Miller, Kevin
Subject: RE: ATI v. EPA (13-112) ["Sierra Club" & "ALA"]

Thanks all.

Ex. 5 DPP, AWP

Ex. 5 DPP, AWP

Cindy
564-2690

From: Minoli, Kevin
Sent: Friday, December 13, 2013 4:30 PM
To: Anderson, Cindy; Bloomgren, David
Cc: Miller, Kevin
Subject: RE: ATI v. EPA (13-112) ["Sierra Club" & "ALA"]

Thanks, Cindy. Ex. 5 DPP, AWP

Kevin S. Minoli
Acting Principal Associate General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

From: Anderson, Cindy
Sent: Friday, December 13, 2013 12:28 PM
To: Minoli, Kevin; Bloomgren, David
Cc: Miller, Kevin
Subject: ATI v. EPA (13-112) ["Sierra Club" & "ALA"]
Importance: High

Kevin and David -

Ex. 5 DPP, ACP, AWP

Ex. 5 DPP, ACP, AWP

A large rectangular area of the document is completely redacted with black ink, covering approximately three lines of text.

Thanks!

Cindy Anderson
EPA/OGC
(202) 564-2690

From: [Miller, Kevin](#)
To: [OGC GLO ILPG](#)
Subject: FW: Reg Review this Wednesday
Date: Monday, February 10, 2014 12:46:54 PM
Attachments: [GLO reg review 1-29-14 ILPG \(2\) \(4\).DOCX](#) (b) (5) DPP, (b) (5) ACP

All,

Please send suggested agenda items by tomorrow lunch time. Also, please send me any litigation deadlines that need to be updated (in the same format used). Thanks.

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-2691

From: Cooper, Geoff
Sent: Monday, February 10, 2014 12:42 PM
To: Miller, Kevin; Guerrero, David
Subject: Reg Review this Wednesday

The last agenda is attached. Please give me your items by tomorrow afternoon. Thanks

Geoff Cooper
Assistant General Counsel
Intellectual Property Law Practice Group
(202) 564-5451

From: [Schramm, Daniel](#)
To: [OGC FRONT OFFICE](#)
Subject: Friday Report for Feb 14
Date: Friday, February 14, 2014 5:43:02 PM
Attachments: [Friday Report 2.14.14.docx](#)

Happy Valentines Day!

FRIDAY REPORT – Friday 2/14/14

Key Items – Court decisions from the past week and filings & events for the coming week that may generate press and/or Congressional interest:

(b)(5) AWP, (b)(5) ACP

FYI Items (may want to inform the Administrator, Deputy Administrator, and others)

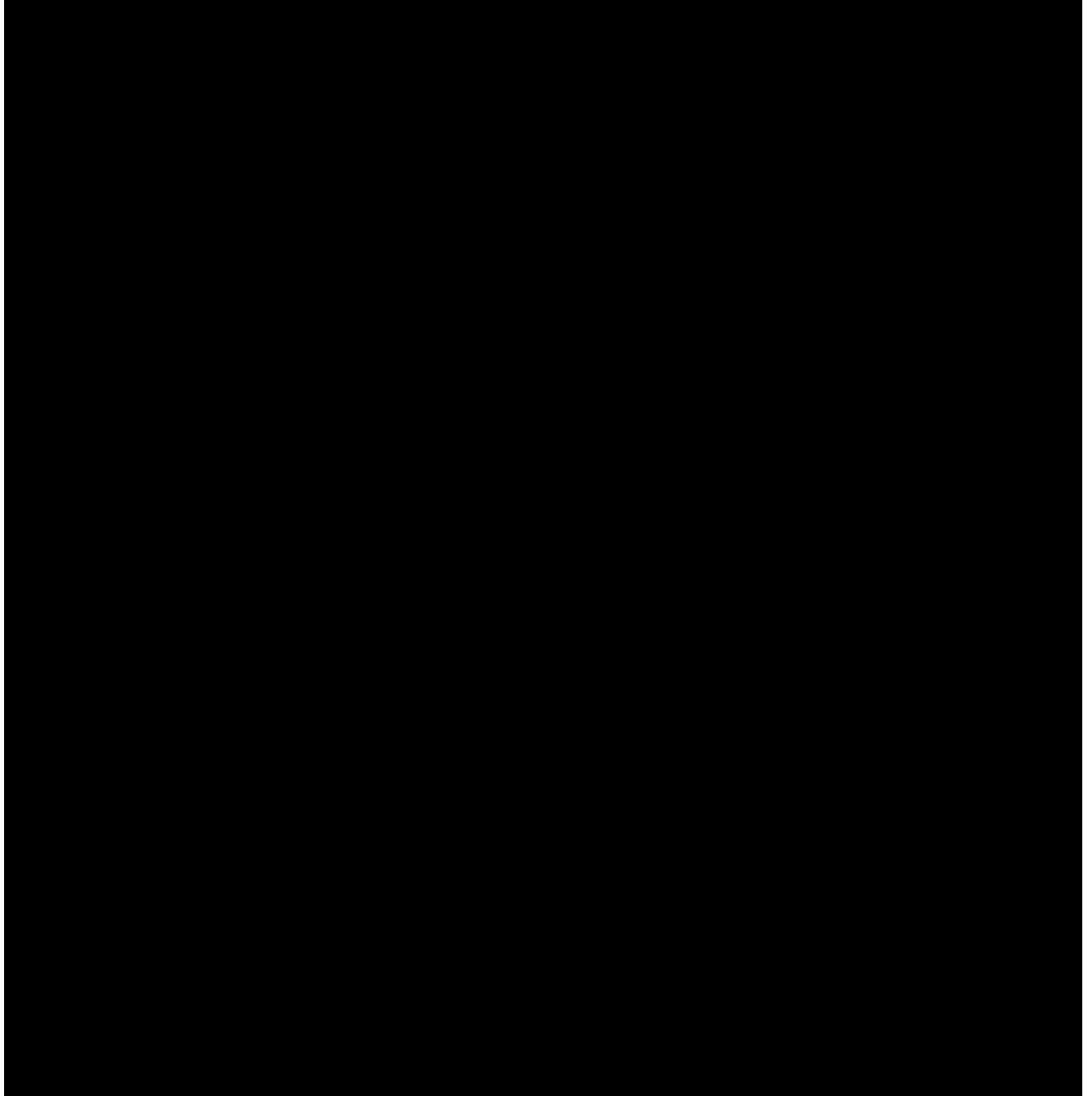
(b)(5) AWP, (b)(5) ACP

FRIDAY REPORT CALENDAR FORECAST – 2/7/14 to 2/21/14

Upcoming deadlines, meetings, and events identified by Regulatory Review Agendas

Not Responsive

Not Responsive



	2/27	GLO	Reply to MTD due – <u>CEI v. EPA</u> – Claims under FOIA and APA re: retention of text messages (June 2009-2013) (<i>Kelly</i>)
--	------	-----	---

Not Responsive

Not Responsive

* Issues identified by law offices as likely to generate press or congressional interest.

Daniel Schramm
Special Assistant
U.S. EPA Office of General Counsel
(202) 564-3377
schramm.daniel@epa.gov

From: [Garbow, Avi](#)
To: [Minoli, Kevin](#)
Subject: FW: Text response
Date: Friday, May 31, 2013 3:33:20 PM

fyi

Avi Garbow
Deputy General Counsel
U.S. Environmental Protection Agency
(202) 564-1917 Cell (b) (6)

-----Original Message-----

From: Mccarthy, Gina
Sent: Friday, May 31, 2013 3:31 PM
To: Ketcham-Colwill, Nancy; Goffman, Joseph
Cc: Garbow, Avi; Reynolds, Thomas; Millett, John; Ganesan, Arvin
Subject: Text response

(b) (5) DPP, (b) (5) ACP

[REDACTED]

[REDACTED]

EPA OFFICIALS TEXTING W MCCARTHY ON EPA PHONE ALL DELETED AS "NON-WORK RELATED"
FROM EXCERPTED PHONE BILL

Joe Goffman Senior Counsel OAR

5/8, 5/26/11; 6/15, 6/16, 6/22, 6/24, 6/25, 6/28, 6/29/11; 7/6, 7/7/11; 7/19/11, 7/27/11

Margo Oye (sp) [Margo Oge], [director of the Environmental Protection Agency's office of transportation and air quality](#) 6/3, 6/7, 6/8, 6/15/11; 9/28/11; 10/19/11, 5/21/12

Ira W. Leighton, [deputy RA EPA R1](#), 6/15/11

Cindy Huang, Staff Assistant To the Assistant Administrator, 6/24/11, 5/11/12

Scott Fulton, [General Counsel among others](#), 6/16, 6/23/11

Steve Page, Director, OAQPS, RTP, 7/ , 10/11/12, 5/17/12

Peter Tsirigotis, Director, Sector Policies and Programs Division, OAR: OAQPS, RTP
7/15/11

Mike Flynn, Director, Office of Radiation and Indoor Air, EPA HQ, 10/17/11

Bob Perciasepe 6/14/12

[Curt Spalding](#), RA EPA R1 6/20/12

Nancy Grantham, Director, EPA R1, Office of Public Affairs 5/28, 5/29, 6/20/12



34

/ 311

90%



Tools

Fill & Sign

Com

From: [Minoli, Kevin](#)
To: [Garbow, Avi](#)
Cc: [Mallory, Brenda](#)
Subject: New CEI Litigation Re: Alleged Failure to Preserve Text Messages
Date: Thursday, October 17, 2013 3:00:50 PM
Attachments: [CourtLink Document US-DIS-DCD 1 13cv1532 Idx 541927 10.17.2013 103507958....pdf](#)

Requester has attachment

Hi Avi- Here is a paragraph on the new complaint that you can share with others. I've also attached the complaint. Kevin

(b) (5) DPP, (b) (5) ACP



EPA's advice to employees on preservation of text messages has consistently been that "[r]ecords created on your Mobile Device should be transferred to your office's recordkeeping system on a regular basis." (<http://www.epa.gov/records/faqs/pda.htm>). EPA is reviewing the complaint and will work with the Department of Justice to respond to CEI's allegations.

Kevin S. Minoli
Acting Principal Associate General Counsel
Office of General Counsel
Main Office Line: 202-564-8064
Direct Dial: 202-564-5551

From: Kelly, Lynn
Sent: Thursday, October 17, 2013 2:32 PM
To: Kika, Stacy
Cc: Johnson, Alisha; Minoli, Kevin; Miller, Kevin; McDermott, Marna
Subject: New CEI Litigation

From: Gottesman, Larry
To: Hilton, Patricia
Cc: Miller, Kevin
Subject: RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)
Date: Tuesday, July 30, 2013 10:08:56 AM

Thanks.

(b) (5) DPP, (b) (5) ACP
[REDACTED]

Thanks

Larry F. Gottesman
National FOIA Officer
U.S. Environmental Protection Agency
Washington D.C. 20460

Office - 202 566 2162
Mobile - 202 689 4588

From: Hilton, Patricia
Sent: Tuesday, July 30, 2013 10:07 AM
To: Gottesman, Larry
Subject: FW: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Larry,

See below for answers to your questions. Please let me know how to proceed. Thanks, Pat

Patricia Hilton (Pat), Special Assistant
Office of Technology Operations and Planning (OTOP)
Office of Environmental Information (OEI)
Office (202) 566-1636
Fax (202) 566-0319

From: Salama, Joseph
Sent: Monday, July 29, 2013 12:15 PM
To: Hilton, Patricia
Subject: RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Sure Pat.

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(b) (5) DPP, (b) (5) ACP

Joe M. Salama
Information Technology Policy and Training
Mission Investment Solutions Division
Office of Environmental Information
U.S. Environmental Protection Agency
Office: (202) 566-1756
Mobile: (202) 713-0710

From: Hilton, Patricia
Sent: Monday, July 29, 2013 11:19 AM
To: Salama, Joseph
Subject: FW: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Joe,

Do you know the answer to Larry Gottesman's questions below?

Patricia Hilton (Pat), Special Assistant
Office of Technology Operations and Planning (OTOP)
Office of Environmental Information (OEI)
Office (202) 566-1636
Fax (202) 566-0319

From: Gottesman, Larry
Sent: Monday, July 29, 2013 11:16 AM
To: Hilton, Patricia; Miller, Kevin; Anderson, Cindy
Cc: Maher, Karen
Subject: RE: FOIA request EPA-HQ-2013-005618 (from CEI for records regarding Gina McCarthy's IT and record-keeping training)

Pat-

(b) (5) DPP, (b) (5) ACP

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