Ed, Boris -

As we discussed, here are the 21 docs EPA proposes to release in response to the Broun request. NOAA versions of these docs have been released to Broun already and the applications applied by NOAA have been applied to the attached. I am providing these to DOC and DOI as well. We hope to have a draft letter for your review soon, as well - we'd like to get these out in the next couple weeks. Thanks in advance for your review - let me know if you have questions or concerns.

Joel
Joel Beauvais
Special Counsel to the Office of the Administrator
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-1684
Apologies - here are the relevant docs

---

Joel Beauvais---01/31/2012 07:41:56 PM---Ed - Attached is a draft cover letter and narrative responses. This is still under review here, so

Ed -

Attached is a draft cover letter and narrative responses. This is still under review here, so may change before going final. Enclosure 3, towards the end, identifies two briefings as having been provided to reps of the EOP, including OMB and CEQ. I am also attaching the documents corresponding to those briefings. I will be sharing this draft of Enclosure 3 and these two documents with OMB and CEQ counsel as well. Talk soon.

Joel
Apologies for the delay. Attached please find the un-redacted document you requested.

In answer to your question, the program office coordinating this FOIA negotiated a single scope for all of the related FOIA's. So they have agreed to provide to all the requesters "any information related to the reconsideration of the 2008 ozone National Ambient Air Quality Standard (NAAQS), including information related to the regulatory impacts analysis (RIA), that originated between July 11, 2011 and December 2, 2011."

All the documents that fall within this scope will be provided to all the requesters, regardless of what their specific request was.

Thanks,
Marna

From: McDermott, Marna
Sent: Thursday, February 21, 2013 5:46 PM
To: Toomajian, Phil
Subject: EPA FOIA response - documents
Attachments

In answer to your question, the program office coordinating this FOIA negotiated a single scope for all of the related FOIA's. So they have agreed to provide to all the requesters "any information related to the reconsideration of the 2008 ozone National Ambient Air Quality Standard (NAAQS), including information related to the regulatory impacts analysis (RIA), that originated between July 11, 2011 and December 2, 2011."

All the documents that fall within this scope will be provided to all the requesters, regardless of what their specific request was.

Thanks,
Marna

From: Toomajian, Phil [mailto:]
Sent: Monday, February 11, 2013 3:32 PM
To: McDermott, Marna
Subject: RE: WHO documents to classify for FOIA response

Thanks, Marna. Yes, please do ask for a copy of the Clark Stevens email without the b(5) redactions.

Also, can you clarify which of these documents would pair with which of the several requests you've forwarded? At quick glance, I'm not sure these documents would be responsive to the James Goodwin request regarding communication with OIRA.

From: McDermott, Marna@epamail.epa.gov
Sent: Monday, February 11, 2013 3:06 PM
To: Toomajian, Phil
Subject: Fw: WHO documents to classify for FOIA response

Thanks, Phil - I am attaching the most relevant incoming requests and the versions of the responsive docs I was provided before I let the program office know to redact eop addresses. There are still a few redactions on these, so if you would like I can go back and ask for the originals.

Thanks for your help,
Marna

Incoming FOIA Requests
Emails with WHO Equity:
Thanks, Phil - I am attaching the most relevant incoming requests and the versions of the responsive docs I was provided before I let the program office know to redact eop addresses. There are still a few redactions on these, so if you would like I can go back and ask for the originals.

Thanks for your help,
Marna
Hi Ed,

EPA is proposing to release the attached documents, as redacted, in response to a large set of FOIA requests, which have been combined to include any information related to the reconsideration of the 2008 ozone National Ambient Air Quality Standard (NAAQS), including information related to the regulatory impacts analysis (RIA), that originated between July 11, 2011 and December 2, 2011.

Please let me know at your earliest convenience whether you can concur in the release.

Thanks for your help,
Marna

Marna McDermott
Special Assistant
EPA Office of General Counsel
mcdermott.marna@epa.gov
(202) 564-2890
Hi Danny,

I am attaching two overlapping FOIA requests along with (a few, short!) records with redactions shown in redline, which EPA proposes to release in response. Our response is promised by Monday, July 1, so if you could turn this around quickly that would be very much appreciated.

Thanks,

Marna

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

I am attaching a FOIA request EPA received in December 2010 along with EPA’s proposed response. Due to changes in the tracking systems, this one seems to have fallen through the cracks. The FOIA officer has been in touch with the requester, who is still interested in these materials, and so we are now asking anew for clearance to provide the attached response with the redactions as shown. This response is quite late, so while we don’t have a hard deadline, we would like to get these materials out to the requester as soon as possible and are requesting clearance by May 28th.

Thanks,
Marna

Marna McDermott
Associate Deputy General Counsel
U.S. Environmental Protection Agency
(202) 564-2890
Hi, Ed - Just checking in on these. Where do things stand? I'm assuming we're still on for 5 today - let me know if you're not able to talk then.

Joel

Just a reminder that we would like to hear back about these tomorrow.

Thanks.

Marna McDermott
Special Assistant
EPA Office of General Counsel
mcdermott.marna@epa.gov
(202) 564-2890

Hi Ed,

EPA is in the process of responding to a FOIA appeal and we have identified the following two documents as requiring consultation with your office:

We are proposing to release these after applying the redactions marked.
I am also attaching the original FOIA request and the appeal:

We need to complete a final appeal determination by October 26, 2011, and would very much appreciate your review by October 21, 2011.

Please let me know if any further information would be useful.

Thanks,
Marna

Marna McDermott  
Special Assistant  
EPA Office of General Counsel  
mcdermott.marna@epa.gov  
(202) 564-2890
Boris, Ed - Here's another one - just 4 pages here. The request is attached as well. As usual, they are asking for quick turnaround if possible - I believe this is overdue.

Joel

Joel Beauvais
Special Counsel to the Office of the Administrator
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-1684
Minoli, Kevin

From: Minoli, Kevin
Sent: Thursday, April 11, 2013 11:16 AM
To: Su, Jonathan; Pappas, Louis
Cc: Kelly, Lynn
Subject: RE: FOIA

Will call in one minute. Thanks.

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

From: Su, Jonathan
Sent: Thursday, April 11, 2013 11:15 AM
To: Minoli, Kevin; Pappas, Louis
Cc: Kelly, Lynn
Subject: RE: FOIA

You can reach us at.

From: Minoli, Kevin
Sent: Thursday, April 11, 2013 11:08 AM
To: Pappas, Louis; Su, Jonathan
Cc: Kelly, Lynn
Subject: RE: FOIA

Hi Jonathan and Louis- Looks like the hearing is going to break in a few minutes. Are you available at 11:15 to talk?
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

From: Pappas, Louis
Sent: Thursday, April 11, 2013 10:05 AM
To: Minoli, Kevin; Su, Jonathan
Subject: Re: FOIA

Courier is en route—why don't you shoot us a note when you receive it.

From: Minoli, Kevin
Sent: Thursday, April 11, 2013 09:59 AM
To: Su, Jonathan
Cc: Pappas, Louis
Subject: RE: FOIA
I understand from Louis that the CD may not be here by then. Can we do it a bit later? Here are the additional docs we mentioned yesterday. Thanks.

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

Hi Kevin: Are you available at 10:45am this morning for a brief call?

Jonathan C. Su  
Special Counsel to the President  
The White House  
(office)  
(cell)
Minoli, Kevin

From: Minoli, Kevin
Sent: Wednesday, April 03, 2013 4:39 PM
To: 'Su, Jonathan'; Dominguez, Daniel
Subject: FW: WH Docs Email 1/7
Attachments: 

Note there will be seven emails, due to size limits of our email system. 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: Wednesday, April 03, 2013 4:05 PM
To: Minoli, Kevin
Subject: WH Docs Email 1/7

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office # 7426V
Minoli, Kevin

From: Minoli, Kevin
Sent: Wednesday, April 03, 2013 4:40 PM
To: 'Su, Jonathan'; Dominguez, Daniel
Subject: FW: WH Docs
Attachments:

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: Wednesday, April 03, 2013 4:10 PM
To: Minoli, Kevin
Subject: WH Docs Email 2/7

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office #: 7426V
From: Minoli, Kevin
Sent: Wednesday, April 03, 2013 4:40 PM
To: 'Su, Jonathan'; Dominguez, Daniel
Subject: FW: WH Docs Email 3/7
Attachments: 

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: Wednesday, April 03, 2013 4:11 PM
To: Minoli, Kevin
Subject: WH Docs Email 3/7

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office # 7426V
Minoli, Kevin

From: Kevin Minoli
Sent: Wednesday, April 03, 2013 4:40 PM
To: 'Su, Jonathan'; Dominguez, Daniel
Subject: Attachment:
Attachments:

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: Wednesday, April 03, 2013 4:13 PM
To: Minoli, Kevin
Subject: WH Docs Email 4/7

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office #: 7426V
Minoli, Kevin

From: Minoli, Kevin
Sent: Wednesday, April 03, 2013 4:40 PM
To: 'Su, Jonathan'; Dominguez, Daniel
Subject: FW: WH Docs Email 5/7
Attachments:

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8084
Direct Dial: 202-564-5551

From: Kelly, Lynn
Sent: Wednesday, April 03, 2013 4:07 PM
To: Minoli, Kevin
Subject: WH Docs Email 5/7

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office # 7426V
Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-644-8064
Direct Dial: 202-564-5551

From: Kelly, Lynn
Sent: Wednesday, April 03, 2013 4:15 PM
To: Minoli, Kevin
Subject: WH Docs Email 6/7

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office # 7426V
Minoli, Kevin

From: Minoli, Kevin
Sent: Wednesday, April 03, 2013 4:40 PM
To: 'Su, Jonathan'; Dominguez, Daniel
Subject: FW: WH Docs Email 7/7
Attachments: 

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Office Line: 202-564-8084
Direct Dial: 202-564-5551

From: Kelly, Lynn
Sent: Wednesday, April 03, 2013 4:16 PM
To: Minoli, Kevin
Subject: WH Docs Email 7/7

Last email.

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office # 7426V
Hi Jonathan and Danny- Please see below for the explanation on sections 1 and 5, as well as missing documents. As you can see, they are reattached here for your convenience. 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: Wednesday, April 03, 2013 6:04 PM
To: Minoli, Kevin
Subject: RE: WH Docs Email 7/7

Those are the parts that went over on Friday. Here they are again.

The gap in document numbers (I think, he says page numbers, but those refer to Doc #s) below is just because those document numbers were for documents that were not WH but another Agency (I.e. FEMA etc.) While the document numbers are largely sequential, there will be gaps where documents were removed for other agencies.

Lynn Kelly
Attorney-Advisor
General Law Office
Office of General Counsel
(202) 564-3266
Office # 7426V

From: Minoli, Kevin
Sent: Wednesday, April 03, 2013 5:51 PM
To: Kelly, Lynn
Subject: Fw: WH Docs Email 7/7

Is there a reason we didn't send these?

Kevin S. Minoli
Acting Principal Deputy General Counsel
Office of General Counsel
Main Line: 564-8064
Direct Dial: 564-5551
Here are the emails I just mentioned. Let me know what you think. Thanks, Kevin

---Original Message-----
From: Dickerson, Tom
Sent: Thursday, May 02, 2013 9:00 AM
To: Vaught, Laura
Cc: Ganesan, Arvin; Beauvais, Joel; Minoli, Kevin
Subject: Documents

So, if I didn't get Kevin's stacks mixed up (not absolutely sure about 2 of the documents that seemed to have slipped out), here is how the documents could be sent.

We could send documents along in an email if we want to keep this moving along at a less formal level, explaining that we are still working through documents but that we can send these along right now. Or, we could send them in a letter as a partial response to their April 10th incoming.
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

Thank you for all of your help as we work through this issue.
Hi Danny- Folks here would like to send up a second set of documents in response to the attachment to the Issa/Vitter April 10th letter that has a list of 106 documents they want in unredacted form. Please take a look and let's discuss early next week. 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
Hi Kevin:

(b)(5) Attorney Work Product

[Redacted]

[Redacted]

[Redacted]
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

From: Jennifer Hammit DC/USEPA/US
To: Kevin Minoli DC/USEPA/US
Cc: Kevin Miller DC/USEPA/US
Date: 02/05/2013 08:57 PM
Subject: (b)(5) Attorney Work Product
Thanks very much, Ed

"Siskel, Edward" --- 06/21/2012 09:56:17 AM --- Joel and Kevin - We clear on these last 4 docs. Thanks, Ed

From: Joel Beauvais [mailto:Beauvais.Joel@epamail.epa.gov]

Hi, Ed - I know you're crashing on other stuff right now. Just wanted to check in on clearance for these last 4 documents, as we're assembling our production for tomorrow.

Joel

--- Kevin Minoli --- 06/19/2012 11:16 AM --- Hi Ed: We located a few additional documents with White House equities that we would like to send you later this week. Would it be possible for you to review these by COB tomorrow? They are all quite short. Also, if you could let me know whether you will be able to complete the review of the original set by today I would appreciate it. Thanks, Kevin

Kevin S. Minoli
Associate General Counsel
General Law Office
Ed-

As I mentioned in my email from earlier today, I am attaching a couple zip files that EPA proposes to produce to the House Oversight and Government Reform Committee in further response to the Committee's ongoing oversight request. These represent communications between EPA and CARB and/or EPA and auto manufacturers relating to the development of the 2012-2016 light duty vehicle standards.

We have promised the Committee that we will produce documents next week, so would request that you get back to us with any questions or concerns by no later than COB Tuesday, June 19th. If that time frame is a problem for any reason, please let us know ASAP.

Please confirm that you have received this message and that you were able to open the zip files. If there is any problem, we can try batching the files or sending over a CD.

Thanks in advance, Kevin

---

From: Kevin Minoli/DC/USEPA/US
To: [redacted]
Cc: [redacted], [redacted]
Date: 06/12/2012 06:32 PM
Subject: Documents Responsive to Chairman Issa's Request to EPA re: Light Duty Vehicle Standards

Kevin S. Minoli
Associate General Counsel
General Law Office
202-564-5551
Joel-- per Boris's email below, have you already sent to OMB and CEQ for their review? Thanks, Ed

-----Original Message-----
From: Beauvais.Joel@epamail.epa.gov
[mailto:Beauvais.Joel@epamail.epa.gov]
Sent: Friday, March 25, 2011 4:32 PM
To: Bershteyn, Boris
Cc: Siskel, Edward
Subject: RE: Prompt Review Requested - Landmark FOIA

Thx

From: "Bershteyn, Boris" [mailto:Bershteyn, Boris@epamail.epa.gov]
Sent: Friday, March 25, 2011 3:24 PM
To: Beauvais.Joel@epamail.epa.gov [mailto:Beauvais.Joel@epamail.epa.gov]
Subject: Prompt Review Requested - Landmark FOIA

Hi, Boris, Ed

Attached is a proposed release of Lisa Heinzerling's schedule, in
response to a FOIA request from Landmark. The schedule has a
number of WH and EOP-related items on. From my review, these appear to be
designated under one or more of the following: White House, WH, OMB, CEQ, and/or Jackson Place.

Two questions:

(1) Would it be possible for you to complete review and provide any suggested changes by COB next Wednesday, March 30th?
(2) Some of these meetings appear to be OMB or CEQ meetings. Do we need separately to seek OMB and/or CEQ counsel review?

Thanks in advance.

Joel

[Redacted]

Joel Beauvais
Special Counsel to the Office of the Administrator Office of General Counsel U.S. Environmental Protection Agency
(202) 564-1684