

From: Kodish, Jeff [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1C291CB168784A25B4E3575DF4B94915-KODISH, JEFF]
Sent: 8/31/2017 12:59:34 PM
To: Heine, Bruce [Bruce.Heine@magellanlp.com]; Gustafson, Kurt [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8bb4c659b0734beba13c05f6f095df47-kgustafs]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Magellan Midstream Partners - Support for an 11.5 RVP Waiver in Midwestern States

Thank you for forwarding this article. We are working as quickly as we can to address fuel supply shortages.

Jeff

From: Heine, Bruce [mailto:Bruce.Heine@magellanlp.com]
Sent: Thursday, August 31, 2017 6:48 AM
To: Kodish, Jeff <Kodish.Jeff@epa.gov>; Gustafson, Kurt <Gustafson.Kurt@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: RE: Magellan Midstream Partners - Support for an 11.5 RVP Waiver in Midwestern States

Good morning Jeff, Kurt and Ken...this morning Wall Street Journal Headline...we really need the 11.5 waiver in OKLA and the Midwest.

Bruce



From: Heine, Bruce
Sent: Wednesday, August 30, 2017 4:16 PM
To: 'Kodish, Jeff' <Kodish.Jeff@epa.gov>; gustafson.kurt@epa.gov
Cc: 'wagner.kenneth@epa.gov' <wagner.kenneth@epa.gov>
Subject: Magellan Midstream Partners - Support for an 11.5 RVP Waiver in Midwestern States

Jeff –First, thank you and your colleagues for the prompt execution of supply waivers for Texas and Atlanta.

*Magellan strongly supports an 11.5 RVP in Oklahoma and Midwestern states and we believe the waiver is essential to provide the greatest amount of fuel to the states we serve with our pipeline system . We especially support an 11.5 RVP waiver in **OK, KS, MO, AR, NE, IA, MN, NM, SD and ND**. It is very important that all of these states have the same gasoline volatility standard as other states in the region including Texas. If EPA issues a waiver that does not include all of these states, this could cause supply disruptions or outages.*

Operations of our crude oil and refined products pipelines in the Houston area have been suspended and gasoline, diesel and jet fuel supply into our distribution system has been curtailed. This includes our 16” line leaving Houston to Frost Texas which is about 50 miles south of Dallas. From Frost, our pipeline runs north into our Dallas terminal, west to Odessa and El Paso and a separate line runs northwest into West Ft. Worth and then into Oklahoma. Traditionally, this line from Houston transports a total of 180,000 b/d with approximately 80,000 b/d going into Dallas and the remainder going to W. Ft Worth, Odessa and El Paso.

Since this line has been down, we reversed a segment of our pipeline system in southern Oklahoma to run south into Frost. The maximum capacity of this line is approximately 70,000 b/d. The 70,000 per day is allocated to Frost, W Ft Worth, Dallas, Odessa and El Paso. Needless to say, we are very short in our ability to supply these markets.

Because we reversed the Oklahoma line with 70,000 b/d going south to meet the needs of our customers, this volume no longer will serve northern locations on Magellan’s Central Pipeline system. In addition, we historically receive approximately 10% of the total volume in the central pipeline system from Gulf Coast origins via third party pipelines in Tulsa. From Tulsa, our pipeline system supplies a significant percentage of the fuel in various states. For example, we supply 40 to 60% of the refined products consumed in OK, MO, SD, KS, NE and 85% in IA. Our receipts from this system originating in the Gulf have been dramatically reduced or eliminated. Overall, we have lost approximately 15% of the total volume supplying the Magellan Central Pipeline system.

We encourage EPA to grant a waiver for the states listed above. If you have any questions or would like additional information, please don’t hesitate to contact me. We very much appreciate your assistance.

Bruce Heine
Vice President Government and Media Affairs
Magellan Midstream Partners

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 8/30/2017 10:29:20 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: EPA issues waiver for higher ethanol blends to fight Harvey shortages

From: POLITICO Pro Energy Whiteboard [<mailto:politicoemail@politicopro.com>]
Sent: Wednesday, August 30, 2017 4:17 PM
To: Ghanta, Venu G
Subject: EPA issues waiver for higher ethanol blends to fight Harvey shortages

by Eric Wolff

08/30/2017 04:13 PM EDT

EPA issued a waiver today to allow the sale of gasoline with 15 percent ethanol in 12 states and the District of Columbia, effectively ending the summer restriction on sales of the fuel because of Hurricane Harvey.

EPA Administrator Scott Pruitt says in the [waiver letter](#) the refinery closures and the disruption of the Colonial Pipeline have created fuel shortfalls, and the waiver will help ease that pressure. Retailers in some states can't sell fuel blends above E10 in the summer to avoid violating the Clean Air Act, but the law gives the administrator authority to waive those requirements in emergencies. In practical terms, the waiver allows retailers in these states to sell winter formulated gasoline early, as well as higher blends of ethanol.

"These shortages can be reduced by waiving the requirement to sell low-volatility summer [conventional gasoline]," Pruitt said in the waiver letter.

About 20 percent of the country's refining capacity is offline after Harvey battered the Gulf Coast region. Gasoline prices at the pump were up six cents a gallon today from a week ago, according to AAA.

The Renewable Fuels Association [asked](#) EPA on Monday to allow the waiver.

"Consumers facing likely gasoline supply issues as a result of Hurricane Harvey are one important step closer today to a high octane, lost cost alternative," RFA CEO Bob Dinneen said in a statement.

The waiver applies to Alabama, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia and the District of Columbia.

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/08/epa-issues-waiver-for-higher-ethanol-blends-to-fight-harvey-shortages-092293>

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Somewhat



Neutral



Not really



Not at all

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Arlington, VA, 22209, USA

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 8/31/2017 10:02:29 PM
To: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Magellan Midstream Partners - Comments on E0 (gasoline without ethanol)
Attachments: MMP_RFS_RVO_2018_f1.pdf

Lincoln...it was great to see you last Friday in OKC. As a follow-up on our conversation with the Administrator, I have attached our comments on E0. We filed these comments this afternoon to EPA's docket on the 2018 Renewable Volume Obligation.

Thanks in advance for your interest in this matter and I hope to see you soon.

Bruce Heine
Vice President Government and Media Affairs
Magellan Midstream Partners

Ex. 6



Bruce W. Heine
Vice President Government and Media Affairs
One Williams Center
Tulsa, OK 74174

Air and Radiation Docket and Information Center
United States Environmental Protection Agency
Mail code 2822T
1200 Pennsylvania Avenue, NW.
Washington, DC 20460

August 31, 2017

Re: Docket ID No. EPA-HQ-OAR-2017-0091
Renewable Fuel Standard Program: Standards for 2018 and
Biomass-Based Diesel Volume for 2019

Background

Magellan Midstream Partners owns and operates the nation's longest refined petroleum pipeline system and eighty-five storage and distribution facilities throughout twenty-four states in PADDs 2, 3 and 4. Virtually all of our terminals offer storage and distribution services for fuel grade ethanol. Blending services offered include E10, E15ⁱ and Ethanol Flex Fuel (EFF / E85). We have offered storage and distribution services for ethanol since 1982.

Magellan is a service provider to a variety of energy stakeholders. We do not own or market the products we transport, store and distribute. These products are owned by our customers which include refiners, petroleum traders and marketers, along with renewable fuel producers, traders and marketers.

We are not an advocate of one liquid fuel over another. As a service provider, we are indifferent to the type of fuel blend that our customers request. Our job is to transport, store, and deliver quality products which meet or exceed regulatory and industry standards while providing the greatest customer service and flexibility in the marketplace. We offer a variety of blend options for various octanes and the ability to choose an ethanol blend or clear gasoline. The choice is up to our customers, not Magellan.

Please consider the following comments:

E0 Demand

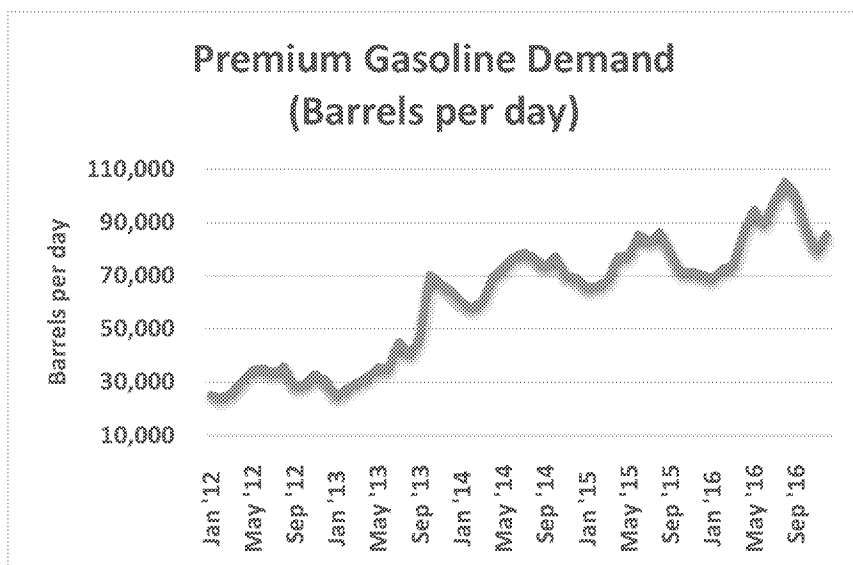
We submit these comments in response to EPA's projections concerning the use of E0 in 2018. EPA projected that only 200 million gallons or approximately 13,050 barrels per day of E0 would be used in 2016 and maintained this position in the 2017 RFS. The Agency now believes the actual volume of E0 used in 2016 was about 500 million gallons or approximately 32,600 barrels per day.

We disagree with these figures based on an extensive review of the actual volume of E0 loaded at our terminals throughout the markets we serve. We believe EPA should rely on real world data such as what Magellan is offering to determine E0 demand as compared to using other non-market based assumptions.

Increased Premium Gasoline Demand Used to Produce E0

The strong demand for E0 became clear to us when we changed the octane standard for gasoline received from shippers and transported on Magellan's pipeline system. On September 16, 2013, Magellan's 87 octane standard was replaced with 83 octane primarily to maximize the octane value of 10% volume ethanol. We no longer transported 87 octane gasoline on our pipeline systems. Prior to this time, our octane standardⁱⁱ was 87 for regular and 91 for premium.

To meet the needs of our customers once the octane standard changed, we implemented a recipe for a 50/50 percent blend at our racks of 83 and 91 octane gasoline which produces 87 octane E0. When the recipe became available in the third quarter of 2013, the system wide demand for premium gasoline dramatically increased.



Prior to the conversion from 87 to 83 octane in 2012 and the first nine and one-half months of 2013, the demand for premium gasoline on our south, central and mountain pipeline segments was approximately 30,000 barrels per day. After the conversion from 87 to 83 octane, the average demand for premium gasoline on our system increased to an average of 70,000 barrels per day in 2014, 75,000 barrels

per day in 2015 and 87,000 barrels per day in 2016. While some motorists may have switched from 87 octane gasoline to premium gasoline because of low overall gasoline retail prices, we believe the significant increase in premium gasoline demand of 47,000 barrels per day on our pipeline system from 2012 to 2017 is primarily associated with E0.

As we analyzed E0 data for year to date 2017 for all of Magellan's pipeline segments and our independent and marine terminals, we assessed the total volume of the sub-octane gasoline (typically 83 octane) which was blended with premium octane gasoline (typically 91 octane) at the

rack to produce 87 octane E0. As stated above, the blend recipe to produce 87 octane E0 is 50% sub-octane gasoline and 50% premium. The total volume also included straight loads of premium gasoline which were likely delivered directly to retail outlets and sold as E0 91 octane.

To provide a conservative estimate of E0 volume, we reduced the total volume by subtracting the volume of E0 which we believe may have ultimately been used to produce E15. In addition, we recognize that some E0 loaded at our terminals could be splash-blended with ethanol at offsite bulk plants. This could be the case if a distributor or marketer is loading only 83 sub-octane gasoline without blending premium gasoline or ethanol to raise the octane of the blend to 87. Therefore, we also subtracted loads of 83 sub-octane gasoline leaving our terminals without the addition of premium gasoline or ethanol from the total volume. We are only providing data based on a blend to produce 87 and 91 octane E0 leaving our terminals.

Based on our understanding of the various markets we serve, we believe the 87 octane E0 and 91 E0 loaded at our terminals is primarily offered for sale by various marketers directly to retail customers as E0 in many markets across the Midwest especially in Iowa and Oklahoma.

Daily E0 Demand 2017

We have commented extensively to EPA on this issue in the past. In fact, we stated E0 volume from Magellan's central pipeline system alone in 2016 was more than three times higher than EPA's national estimate. Based on the data above and other market factors, we believe significant demand for E0 reaches beyond marine applications and extends into the automotive marketⁱⁱⁱ.

The net daily average^{iv} of E0 loaded from Magellan's pipeline systems, independent and marine terminals through July 2017 is 52,000 barrels per day. When compared to EPA's revised national estimate of E0 volume in 2016 of 500 million gallons or 32,615 barrels per day, Magellan's YTD 2017 daily E0 volume average is almost 40% higher than EPA's proposed national volume estimate. Far from relatively minimal amounts, our data illustrates that substantial use of E0 continues today in the markets we serve.

A precise projection of the volume of E0 demand is critical to ensuring the accuracy of the motor fuel pool and therefore determining the appropriate annual volume requirements by which to comply.

Inaccurate E0 demand projections can inflate the volume requirements making compliance more difficult and potentially increasing the costs to comply. We encourage EPA to consider this data when determining the E0 estimates for the 2018 RVO.

Exported Renewable Fuels and RIN Application for Compliance

EPA states that imported renewable fuels may not have the same impact on energy independence as those produced domestically. EPA is soliciting stakeholder views on this topic and on what steps EPA might take to ensure energy independence and security.

The domestic production of crude oil is expected to increase which creates opportunities for exports and for domestic refiners to increase their production capabilities which results in exports of refined petroleum products. As exports of refined petroleum products continue to increase from

the U.S. Gulf Coast, infrastructure is being developed to accommodate increased exports of renewable fuels as well.

Domestic production of renewable fuels provides the policy benefits anticipated under the Energy Independence and Security Act which includes jobs, increased agricultural income, increased taxes to local and state governments and more. Additional exports can drive increased investment along the biofuel infrastructure sector.

Under current rules, the renewable fuel exporter essentially does not receive a RIN benefit although the domestic policy benefits associated with renewable fuel production remains when the product is exported from the country. We believe the automatic obligations for biofuel exporters should be removed. RINs should be granted for undenatured ethanol which is exported from the country.

Thank you in advance for your consideration of our comments.

Sincerely,



Bruce W. Heine

ⁱ MMP's Dallas, Texas terminal.

ⁱⁱ R+M/2

ⁱⁱⁱ Docket ID No. EPA-HQ-OAR-2016-0041

^{iv} Excludes sub-octane gasoline loaded at our terminals to produce E15 and 83 octane loads leaving the terminals without the addition of premium gasoline or ethanol.

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 8/31/2017 9:55:20 PM
To: Heine, Bruce [Bruce.Heine@magellanlp.com]
Subject: Magellan Midstream Partners - Texas Gulf Coast Operational Update # 7



Contact: Bruce Heine 918 574 7010
Tom Byers 918 574 7011

Magellan Midstream Partners - Texas Gulf Coast Operational Update # 7 – 4:55PM CST August 31, 2017

Electric power was restored to our terminal in Corpus Christi yesterday and we have begun limited storage and distribution services at this facility. Earlier this week, we resumed service on our 18" refined products pipeline from Texas City into the Houston area. Operations remain suspended on our other refined products pipelines in the Houston area at this time. The remainder of Magellan's refined products pipeline systems in Texas and throughout the Midwest are operating normally.

Earlier today, we have safely resumed limited service on a segment of our Houston crude oil distribution system. Operations on our other crude oil pipeline systems in the Houston area including Longhorn and BridgeTex remain suspended although we are continuing to receive west Texas crude oil into our storage facility at the origin of the Longhorn Pipeline system in Crane Texas.

Magellan has deployed significant resources to our Houston area facilities to safely return to service as soon as possible. We are making progress at Galena Park and East Houston by removing floodwater, assessing electric service and inspecting all assets to ensure their integrity. Although we do not have an estimate when we will resume service at these facilities at this moment, the assessment of our operational capabilities is well underway at both facilities and our Houston area pipelines. Magellan representatives are continuing to make progress to safely return our condensate splitter in Corpus Christi to service in the near future.

We will continue to keep you advised on the status on our assets impacted by Tropical Storm Harvey.

From: Heine, Bruce
Sent: Wednesday, August 30, 2017 4:54 PM
To: Heine, Bruce (Bruce.Heine@magellanlp.com) <Bruce.Heine@magellanlp.com>
Subject: Magellan Midstream Partners - Texas Gulf Coast Operational Update # 6



Contact: Bruce Heine 918 574 7010
Tom Byers 918 574 7011

Magellan Midstream Partners - Texas Gulf Coast Operational Update # 6 - 4:55PM CST August 30, 2017

Our 18" refined products pipeline from Texas City into the Houston area has been safely reactivated. Operations remain suspended on our other refined products pipelines in the Houston area at this time. The remainder of Magellan's refined products pipeline systems in Texas and throughout the Midwest are operating normally. Operations on our crude oil pipeline systems in the Houston area remain suspended although we are continuing to receive west Texas crude oil into our storage facility at the origin of the Longhorn Pipeline system in Crane Texas.

We were able to access safely both our East Houston terminal and Galena Park facility today and have representatives conducting thorough assessments of both facilities, in addition to on-going assessments of our pipeline systems in the Houston area. Magellan representatives are continuing to make progress to safely return our terminal and condensate splitter in Corpus Christi to service in the near future.

We will continue to keep you advised on the status on our assets impacted by Tropical Storm Harvey.

From: Heine, Bruce
Sent: Tuesday, August 29, 2017 4:16 PM
To: Heine, Bruce <Bruce.Heine@magellanlp.com>
Subject: Magellan Midstream Partners - Texas Gulf Coast Operational Update # 5



Contact: Bruce Heine 918 574 7010
Tom Byers 918 574 7011

Magellan Midstream Partners - Texas Gulf Coast Operational Update # 5 - 4:15PM CST August 29, 2017

While operations on our crude oil pipelines in the Houston area remain suspended, we are currently receiving west Texas crude oil into our storage facility at the origin of the Longhorn Pipeline system in Crane, Texas. Operations remain suspended at our Galena Park marine terminal due to Tropical Storm Harvey and the closure of the Houston Ship Channel. Operations at our facility in East Houston remain suspended. We are making progress to safely and compliantly return our terminal and condensate splitter in Corpus Christi to normal operations in the near future.

Although Magellan's refined products pipeline system is not currently in service in the Houston area, our pipeline system and terminals are operating normally in other markets throughout the state of Texas including Dallas / Ft Worth, Odessa and El Paso. Our terminals in the Dallas market typically receive inbound pipeline shipments from origins in the Houston area including Magellan's own pipeline. To supplement supplies of gasoline and diesel fuel into Dallas, we have recently reversed a segment of our pipeline system to provide transportation services from Oklahoma refineries into the Dallas marketplace.

###

From: Heine, Bruce
Sent: Monday, August 28, 2017 3:25 PM
To: Heine, Bruce (Bruce.Heine@magellanlp.com) <Bruce.Heine@magellanlp.com>
Subject: Magellan Midstream Partners - Texas Gulf Coast Operational Update # 4

3:25PM Central Time Monday August 28th: Magellan Midstream Partners - OPERATIONAL UPDATE # 4

- All inbound and outbound refined products and crude oil (including Longhorn and BridgeTex) transportation services on our pipeline systems in the Houston area remain suspended.
- All operations at our Galena Park and East Houston facilities remain suspended.

- Operations at our terminal and condensate splitter in Corpus Christi were suspended on Thursday, August 24 in advance of the storm. Weather conditions in Corpus Christi have improved and have allowed initial assessments to begin. At this time, it appears that the Corpus Christi facility did not suffer any major damage.
- Currently, we do not have a timetable to return to normal operations at any of our south Texas facilities.

Magellan has over 200 employees that work at our Houston and Corpus Christi area facilities that are being personally impacted by Hurricane Harvey. We are pleased to report all of our employees and their families are currently safe.

Magellan Midstream Partners
918 574 7010

Ex. 6

From: Heine, Bruce
Sent: Sunday, August 27, 2017 11:22 AM
To: Heine, Bruce (Bruce.Heine@magellanlp.com) <Bruce.Heine@magellanlp.com>
Subject: Magellan Midstream Partners - Texas Gulf Coast Operational Update # 3

11:20AM Central Time Saturday August 27th: Magellan Midstream Partners - OPERATIONAL UPDATE # 3

- We have suspended all inbound and outbound refined products and crude oil transportation services on our pipeline systems in the Houston area.
- All operations at our Galena Park and East Houston facilities have been suspended.
- Transportation services on our Longhorn and BridgeTex crude oil pipelines and our Houston crude oil distribution system have been suspended.
- Operations at our terminal and condensate splitter in Corpus Christi were suspended on Thursday August 24th. Operations at these facilities remain suspended at this time.

Bruce Heine
Magellan Midstream Partners
918 574 7010

Ex. 6

From: Heine, Bruce
Sent: Saturday, August 26, 2017 1:22 PM
To: Heine, Bruce <Bruce.Heine@magellanlp.com>
Subject: Magellan Midstream Partners - Texas Gulf Coast Operational Update # 2

1:21PM Central Time Saturday August 26th: Magellan Midstream Partners - OPERATIONAL UPDATE

- Our refined products and crude oil pipelines in Texas are continuing to operate.
- Our pipeline facilities throughout the state of Texas with the exception of Corpus Christi are operating normally at this time.
- Magellan's **Galena Park** marine terminal has limited operations. The Coast Guard has suspended inbound and outbound ships and barges. Inbound and outbound truck loading at our Galena Park facility has also been suspended.
- Operations at our condensate splitter in **Corpus Christi** were suspended Thursday August 24th.

Bruce Heine
Magellan Midstream Partners
918 574 7010

Ex. 6

From: Heine, Bruce
Sent: Friday, August 25, 2017 1:43 PM
To: Heine, Bruce <Bruce.Heine@magellanlp.com>
Subject: Magellan Midstream Partners - Gulf Coast Operational Update # 1

1:40PM Central Time: Magellan Midstream Partners - OPERATIONAL UPDATE

- Our refined products and crude oil pipelines in Texas are operating normally at this time.
- Our terminal facilities throughout the state of Texas with the exception of Corpus Christi are operating normally at this time.
- Magellan's Galena Park terminal has limited operations and the Coast Guard has suspended inbound and outbound ships.
- Operations at our condensate splitter in Corpus Christi were suspended yesterday.

Bruce Heine
Magellan Midstream Partners
918 574 7010

From: Heine, Bruce
Sent: Thursday, August 24, 2017 4:18 PM
To: Heine, Bruce (Bruce.Heine@magellanlp.com) <Bruce.Heine@magellanlp.com>
Subject: Magellan Midstream Partners - Gulf Coast Operational Update

Magellan Midstream Partners Update –Gulf Coast 4:15PM Central Time

In preparation for Hurricane Harvey, we have initiated our hurricane preparedness plan and we are actively taking proactive measures to secure our gulf coast facilities.

OPERATIONAL STATUS

- Our refined products and crude oil pipelines in Texas are operating normally at this time.
- Our terminal facilities in East Houston and Louisiana are operating normally at this time.
- Magellan's Galena Park terminal is operating normally although the Coast Guard has suspended inbound ships.
- We suspended operations at our terminal and condensate splitter in Corpus Christi earlier today.

Bruce Heine
Vice President Government and Media Affairs
918 574 7010

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 8/31/2017 5:21:15 PM
To: Kodish, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1c291cb168784a25b4e3575df4b94915-Kodish, Jeff]; Gustafson, Kurt [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8bb4c659b0734beba13c05f6f095df47-kgustafs]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Magellan Midstream Partners - Support for an 11.5 RVP Waiver in Midwestern States

Jeff and Kurt...thank you for issuing the 11.5 waiver. It will help increase supplies throughout our system in the Midcontinent.

Bruce

From: Kodish, Jeff [mailto:Kodish.Jeff@epa.gov]
Sent: Thursday, August 31, 2017 8:00 AM
To: Heine, Bruce <Bruce.Heine@magellanlp.com>; Gustafson, Kurt <Gustafson.Kurt@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: RE: Magellan Midstream Partners - Support for an 11.5 RVP Waiver in Midwestern States

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Thank you for forwarding this article. We are working as quickly as we can to address fuel supply shortages.

Jeff

From: Heine, Bruce [mailto:Bruce.Heine@magellanlp.com]
Sent: Thursday, August 31, 2017 6:48 AM
To: Kodish, Jeff <Kodish.Jeff@epa.gov>; Gustafson, Kurt <Gustafson.Kurt@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: RE: Magellan Midstream Partners - Support for an 11.5 RVP Waiver in Midwestern States

Good morning Jeff, Kurt and Ken...this morning Wall Street Journal Headline...we really need the 11.5 waiver in OKLA and the Midwest.

Bruce

THE WALL STREET JOURNAL.

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Refining Shutdown Reverberates

Record flooding from Harvey is straining the global superhighway of the energy trade

By Christopher M. Matthews and Alison Doak

Tropical storm Harvey's wringing of Gulf Coast refining ports and pipelines is being felt across the country and even globally, a result of a U.S. energy boom that has made the country and the world increasingly reliant on Texas.

Harvey shut down a third Gulf Coast refining center Wednesday, and is knocking out the rest of a fourth. More than a dozen refineries are affected—including the country's two biggest, Saudi Aramco Co.'s Motiva facility in Port Arthur and Exxon Mobil Corp.'s Baytown facility—collectively representing more than 30% of U.S. refining capacity, according to IHS Markit.

More than 3 million barrels a day of refining capacity in Texas remained shut Wednesday morning, according to an

agency, more than three-fourths daily national consumption of petroleum products. Three shut-down refineries said on Wednesday they were either starting up or planning to start up again.

Port closures are compounding the refineries' woes. Port Houston has warned shippers it is likely to be closed to large vessels at least through

Please see ENERGY page A4

- Struggling hospitals brace for wave of new patients..... A4
- Aid needs spared by storm may top those of Katrina... A4

Lone Star Slowdown

Harvey has shut down a sizable portion of oil activity in Texas, which makes up nearly a third of U.S. refining capacity.

Texas refinery capacity as of Wednesday in barrels per day

Shut down 2.7 million
***** 3 refineries

Partially shut down 500,000
*** 2 refineries

Restarting 700,000
*** 3 refineries for reconstruction

Open 1.8 million
***** 12 refineries

Source: Texas Information Administration



'Worst is Not Yet Over' as Floodwaters Spread in Southeast Texas

Katrina Survivors

From: Heine, Bruce

Sent: Wednesday, August 30, 2017 4:16 PM

To: 'Kodish, Jeff' <Kodish.Jeff@epa.gov>; gustafson.kurt@epa.gov

Cc: 'wagner.kenneth@epa.gov' <wagner.kenneth@epa.gov>

Subject: Magellan Midstream Partners - Support for an 11.5 RVP Waiver in Midwestern States

Jeff—First, thank you and your colleagues for the prompt execution of supply waivers for Texas and Atlanta.

Magellan strongly supports an 11.5 RVP in Oklahoma and Midwestern states and we believe the waiver is essential to provide the greatest amount of fuel to the states we serve with our pipeline system. We especially support an 11.5 RVP waiver in **OK, KS, MO, AR, NE, IA, MN, NM, SD and ND**. It is very important that all of these states have the same gasoline volatility standard as other states in the region including Texas. If EPA issues a waiver that does not include all of these states, this could cause supply disruptions or outages.

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Since this line has been down, we reversed a segment of our pipeline system in southern Oklahoma to run south into Frost. The maximum capacity of this line is approximately 70,000 b/d. The 70,000 per day is allocated to Frost, W Ft Worth, Dallas, Odessa and El Paso. Needless to say, we are very short in our ability to supply these markets.

Because we reversed the Oklahoma line with 70,000 b/d going south to meet the needs of our customers, this volume no longer will serve northern locations on Magellan's Central Pipeline system. In addition, we historically receive

approximately 10% of the total volume in the central pipeline system from Gulf Coast origins via third party pipelines in Tulsa. From Tulsa, our pipeline system supplies a significant percentage of the fuel in various states. For example, we supply 40 to 60% of the refined products consumed in OK, MO, SD, KS, NE and 85% in IA. Our receipts from this system originating in the Gulf have been dramatically reduced or eliminated. Overall, we have lost approximately 15% of the total volume supplying the Magellan Central Pipeline system.

We encourage EPA to grant a waiver for the states listed above. If you have any questions or would like additional information, please don't hesitate to contact me. We very much appreciate your assistance.

Bruce Heine
Vice President Government and Media Affairs
Magellan Midstream Partners

Message

From: Hammontree, Jimmie [Jimmie.Hammontree@williams.com]
Sent: 7/24/2017 11:12:15 PM
To: Ratcliffe, Will [Will.Ratcliffe@williams.com]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: [EXTERNAL] ECOS

Thank you for the follow up, Ken. Great meeting you and I look forward to seeing you at the next ECOS meeting.

Jimmie

Jimmie Hammontree
Regulatory Affairs
Williams

Office: **Ex. 6**
Cell: **Ex. 6**

Sent from my iPhone

On Jul 24, 2017, at 5:10 PM, Ratcliffe, Will <Will.Ratcliffe@williams.com> wrote:

Ken, great to meet you as well. We both plan on being at the next ECOS meeting in Wyoming. Hope to catch up with you then.

Thanks again for the insightful dialog.

Will

Will Ratcliffe - Manager, Regulatory Affairs
Williams
will_ratcliffe@williams.com

Ex. 6

On Jul 24, 2017, at 6:01 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Will and Jimmie:

Great to meet with you guys at ECOS. I spoke with Lane and let him know that Williams' was well-represented. Hope to see you guys again.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
US Environmental Protection Agency
Office: 202-564-1988

Ex. 6

wagner.kenneth@epa.gov

This email originates outside of Williams. Use caution if this message contains attachments, links or requests for information.

Message

From: Greco, Chris [Chris.Greco@bp.com]
Sent: 7/25/2017 9:18:26 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: ECOS

Ken – It was great meeting you as well. I look forward to working with EPA on their Superfund Reform initiatives. Please feel free to reach out to me with any questions regarding any BP or their affiliated company's sites.

Thanks again.

Chris Greco | Portfolio Manager – Commercial Management
Remediation Management Services Company
150 Warrenville Rd | Naperville, IL 60563
t: [Ex. 6] | m: [Ex. 6]

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Monday, July 24, 2017 4:49 PM
To: Greco, Chris
Subject: ECOS

Chris:

Great to meet you at ECOS last week. I know Troy was pleased to see you guys. My contact information is below.

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell: [Ex. 6]
wagner.kenneth@epa.gov

Message

From: Byers, Tom [Tom.Byers@magellanlp.com]
Sent: 6/9/2017 9:03:40 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]

Ken - thank you for the kind words. It was truly a pleasure to meet you.

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 6/9/2017 8:22:06 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Byers, Tom [Tom.Byers@magellanlp.com]
Subject: Re: Meeting

Great! Thanks Ken

Sent from my iPhone

On Jun 9, 2017, at 10:30 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Bruce: I got to meet your colleague Tom Byers in DC yesterday. He puts on a great image and is a good ambassador for Magellan.

Hope you guys are well!

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell Ex. 6
wagner.kenneth@epa.gov

Message

From: John Di Stasio [John@lppc.org]
Sent: 6/9/2017 4:36:02 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: Meeting with Dan Sullivan

Ken

It was great meeting you too. Please let me know if I can be a resource for you as well. We have utility members in 13 states serving about 30 million consumers. We're happy to be a resource.

When things settle down a bit a bit for you it would be great to have lunch.

Thanks

John

John Di Stasio
President, Large Public Power Council
1050 Thomas Jefferson St, 5th Floor
Washington, DC 20007

Ex. 6

office
cell

john@lppc.org
www.LPPC.org

On Jun 9, 2017, at 11:26 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

John:

Great to visit with you with Dan Sullivan yesterday. I am sorry I will not be in D.C. When you come to meet with the Administrator. He will enjoy seeing you all and it should be productive. Let me know if I can ever be of assistance.

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell: **Ex. 6**
wagner.kenneth@epa.gov

Message

From: Jump, Tiffany [tjump@aeci.org]
Sent: 5/30/2017 2:45:28 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Tudor, David [dtudor@aeci.org]
Subject: AECl Annual Meeting of Members
Attachments: Annual meeting invitation 2017 final.pdf

Ken,

Good morning! David wanted to extend an invitation to you, and anyone else in your organization, to attend our 2017 Annual Meeting in Branson, June 5-7. I've attached the invitation for your review. If you would like to see the current agenda, speaker bios, and guest list, you can go to the [registration site](#) and create an account using registration code v6vBVpuzmLEXvzm.

Online registration is now closed, but if you or any others are interested in attending, let me know, and I'll get you signed up. I'm also happy to help secure you a hotel room if needed.

Please don't hesitate to contact David or me with any questions.

Thank you!

Tiffany Jump, CAP
executive assistant

ASSOCIATED ELECTRIC COOPERATIVE, INC.
P.O. Box 754 | Springfield MO 65801-0754
{ Ex. 6 } (direct) | { Ex. 6 } (cell)
tjump@aeci.org | ●●●●



Branson Convention Center

aeci

Associated Electric Cooperative Inc.

A Touchstone Energy® Cooperative 

2814 S. Golden Ave., P.O. Box 754, Springfield, MO 65801-0754
417-881-1204, www.aeci.org

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Annual Meeting 2017

Associated Electric Cooperative Inc.

The fine-tuned machine

It is our pleasure to invite you to the 2017 Annual Meeting of Members of Associated Electric Cooperative. This year's meeting will be June 5-7 at the Branson Convention Center, Branson, Missouri.

Read inside for more details, including hotel accommodations, registration and the preliminary agenda.

Schedule at a glance

Monday, June 5

- 10 a.m. Registration opens
- 4 p.m. Hotel check-in
- 5 p.m. Reception

Tuesday, June 6

- 6:30 a.m. Breakfast buffet
- 8 a.m. Welcome and kickoff. Joe Wilkinson, vice president, Member Services & Corporate Communications, and David Tudor, CEO & general manager
- 8:15 a.m. Future Trends. Dr. James Canton, CEO & chairman of the Institute for Global Futures
- 9:15 a.m. Energy Commodities. Andy Whitesitt, vice president of Natural Gas & Fuels, ACES
- 10 a.m. Break
- 10:30 a.m. Future of Coal — panel includes Stevan B. Bobb, executive vice president & chief marketing officer of BNSF Railway, Paul Bailey, president & CEO, American Coalition for Clean Coal Electricity, Peabody Energy
- 11:30 a.m. Natural Gas Pipeline Infrastructure. Craig Harris, chief commercial officer of Enable Midstream Partners
- Noon Lunch
- 1:30 p.m. RTO Markets. Andrew Ott, CEO of PJM Interconnection
- 2:30 p.m. Legislative and Regulatory Update. Kirk Johnson, senior vice president of governmental relations, NRECA
- 3:15 p.m. Wrapup. David Tudor, CEO & general manager
- 3:45 p.m. Adjourn
- 5 p.m. Reception

Wednesday, June 7

- 6:30 a.m. Breakfast buffet
- 8 a.m. Annual business meeting
- 9:30 a.m. Adjourn
- 11 a.m. Hotel check out

We have a great program scheduled for this year's meeting covering some of the most current topics in our industry. It promises to provide valuable insight and challenging perspectives. We hope you are able to attend and look forward to seeing you in Branson.



David J. Tudor
CEO and general manager

HOTEL AND PARKING

Associated has negotiated a rate of \$140 per night, before taxes and fees, at the following properties:

Hilton Convention Center Hotel
200 E. Main St., Branson, MO 65616

Hilton Promenade
Branson Landing, 3 Branson Landing Blvd., Branson, MO 65616

For reservations call our local Hilton reservations specialist at 417-243-3402 between 8:30 a.m. and 4:30 p.m., M-F, or go online and use the group code AEC17. The cut-off date for the room block is Friday, May 12.

Associated will also cover attendee costs for valet or self-parking at each hotel. Upon arrival, please inform the parking attendant you are with the Associated Electric Cooperative group.

If you are not staying at the hotel, complimentary parking passes are also available at the registration desk.

REGISTRATION

Registration will open at 10 a.m. on Monday, June 5, and will be located on the 2nd level of the convention center near the escalators. In addition to the registration desk, AECI staff will be available to answer questions about our program, spouses' event or affiliate meetings at welcome desks conveniently located in the lobbies near check-in of the Hilton Convention Center Hotel and Hilton Promenade.

SPOUSES' PROGRAM

This year's spouses' program is at Johnny Morris' Top of the Rock Ozarks Heritage Preserve.

The program is tentatively scheduled from 9 a.m. — 2 p.m.

The adventure begins at Lost Canyon Cave & Nature Trail, then we will tour the Ancient Ozarks Natural History Museum. Our journey will end with a casual lunch while overlooking beautiful Table Rock Lake at the Buffalo Restaurant.

RECEPTIONS

Heavy appetizers will be served both Monday and Tuesday evenings from 5-6:30 p.m. On Tuesday, musical entertainment will also be provided by Springfield's premier orchestra ensemble, the Stanton Strings.

DRESS CODE

Dress attire for both evenings is business casual and business professional for Tuesday and Wednesday meetings.



Registration website open now!

<http://annualmeeting.aeci.org/>

The website contains up-to-date information on all details related to our annual meeting, including lodging, event details, speakers and guest list. The website is also mobile-friendly! Registration will close May 12.

Questions?

Registration and general inquiries:
Tiffany Jump, 417-885-9275 or tjump@aeci.org

Technical issues: Jeff Scranton, 417-885-9327 or jscranton@aeci.org

Delivery Report

From: Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]
Sent: 4/23/2017 5:24:17 AM
To: dtudor@acci.org
Subject: Undeliverable: Re: Connecting you
Attachments: Re: Connecting you

Your message

To: Chu, Ed; dtudor@acci.org
CC: Bennett, Tate; dmcnabb@aeci.org; Ferguson, Lincoln
Subject: Re: Connecting you
Sent: 4/21/2017 5:20:13 AM

Delivery has failed to these recipients or groups:

dtudor@acci.org (dtudor@acci.org)

Your message wasn't delivered. Despite repeated attempts to deliver your message, the recipient's email system refused to accept a connection from your email system.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their email system is refusing connections from your email server. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For Email Admins

No connection could be made because the target computer actively refused it. This usually results from trying to connect to a service that is inactive on the remote host - that is, one with no server application running. For more information and tips to fix this issue see this article:

<http://go.microsoft.com/fwlink/?LinkId=389361>

Diagnostic information for administrators:

Generating server: CY1PR09MB0444.namprd09.prod.outlook.com
Receiving server: CY1PR09MB0444.namprd09.prod.outlook.com

dtudor@acci.org

4/23/2017 5:24:17 AM - Server at CY1PR09MB0444.namprd09.prod.outlook.com returned '550 5.4.316 Message expired, connection refused(Socket error code 10061)'

4/23/2017 5:13:58 AM - Server at acci.org (69.172.201.153) returned '450 4.4.316 Connection refused(Socket error code 10061)'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=L2WpPZdkt1DtEoTCb5qj/gaKc2s0KPhazM0rM9DDN3mI=;

b=aY//EPUMZlsIK7hFto+g83liXT2ALTDSB/BFEZdlA80PAXd4G9WTFqppROY0Jk40hi6y09zkZxX4d7u2Le7vf2Cj woq0Wy6/biQQdElv3YmlsnzY4EwwQD5FY/mqgwNip8b+vm0Uzx2FQztzrqK/o68Kz5TNni5lWNOtgAGUCzzEc=

Received: from CY1PR09MB1068.namprd09.prod.outlook.com (10.166.196.8) by CY1PR09MB0444.namprd09.prod.outlook.com (10.160.150.25) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1034.10; Fri, 21 Apr 2017 05:20:20 +0000

Received: from CY1PR09MB1068.namprd09.prod.outlook.com ([10.166.196.8]) by CY1PR09MB1068.namprd09.prod.outlook.com ([10.166.196.8]) with mapi id 15.01.1047.013; Fri, 21 Apr 2017 05:20:13 +0000

From: "Wagner, Kenneth" <wagner.kenneth@epa.gov>

To: "Chu, Ed" <Chu.Ed@epa.gov>, "dtudor@aeci.org" <dtudor@aeci.org>

CC: "Bennett, Tate" <Bennett.Tate@epa.gov>, "dmcnabb@aeci.org" <dmcnabb@aeci.org>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>

Subject: Re: Connecting you

Thread-Topic: Connecting you

Thread-Index: AQHSUjxkWR1LEDoozUOToLucNsjo26HPMcMAgAAXrEM=

Date: Fri, 21 Apr 2017 05:20:13 +0000

Message-ID: <800FF051-D6F5-4080-877E-27C08420124A@epa.gov>

References: <A35FA17A-6591-4103-8892-97360D90C2CE@epa.gov>, <9D8C408A-892E-4817-8A4F-1A497A23583F@epa.gov>

In-Reply-To: <9D8C408A-892E-4817-8A4F-1A497A23583F@epa.gov>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: epa.gov; dkim=none (message not signed)

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x-originating-ip: [2600:100c:b220:8000:7465:6411:88e5:1688]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics:

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x-microsoft-antispam:

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x-microsoft-antispam-prvs:

<CY1PR09MB04441A7AD569EC38696D652E8F1A0@CY1PR09MB0444.namprd09.prod.outlook.com>

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PCL:0;RULEID;;SRVR:CY1PR09MB0444;
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spamdDiagnosticOutput: I:99
spamdDiagnosticMetadata: NSPM
Content-Type: multipart/alternative;
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MIME-Version: 1.0
X-MS-Exchange-CrossTenant-originalarrivaltime: 21 Apr 2017 05:20:13.5808
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY1PR09MB0444
X-OriginatorOrg: epa.gov

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/21/2017 5:20:13 AM
To: Chu, Ed [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a7a6452e3e0941b4bb1fafa1ba1ae424-Chu, Edward]; dtudor@acci.org
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; dmcnabb@aeci.org; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: Re: Connecting you

I have also included David Tudor on the email chain. David...if you could detail the particular issue so that we may fully understand and set up a meaningful meeting within the next two weeks as we discussed. We are looking forward to bringing resolution to the issue!

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Apr 20, 2017, at 10:55 PM, Chu, Ed <Chu.Ed@epa.gov> wrote:

Thanks for connecting us Tate! Ken and I met briefly with David Tudor and committed to schedule a follow up meeting.

David - I will follow up with you separately and will also include you in our future discussions.

Edward H. Chu
Acting Regional Administrator, Region 7
U.S. Environmental Protection Agency
913-551-7333

Sent from my iPhone

On Apr 20, 2017, at 8:12 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Ed- the Administrator wanted to make sure you and David (CC'd) were able to connect today.

I'll follow up on our end from DC as well. So glad you made it out to the event!

Tate

Message

From: Jump, Tiffany [tjump@aeci.org]
Sent: 4/28/2017 3:30:07 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Monday
Attachments: ATT00001.txt

Ken,


I just wanted to make sure you received the details for Monday's meeting with AECl; I haven't received a response from you on the calendar invitation.

Thank you!

Tiffany Jump, CAP
executive assistant

ASSOCIATED ELECTRIC COOPERATIVE, INC.

P.O. Box 754 | Springfield MO 65801-0754

Ex. 6 (direct) | **Ex. 6** (cell)
tjump@aeci.org | 

Message

From: Tom Williams [twilliams@rpsea.org]
Sent: 5/12/2017 4:33:32 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Lee Fuller [lfuller@ipaa.org]
Subject: introduction

Ken – I am copying my friend Lee Fuller at IPAA. I briefly mentioned to you at the IOGCC meeting that my organization RPSEA is working with IPAA to conduct a methane study focusing on marginal wells. As you know they were not exempt from the NSPS OOOOa rules although no marginal wells were sampled. In the rule EPA stated they should not be exempt from the rule because they “thought” they were by proportion super emitters. I do not think I mentioned I met with David Cozzie and staff in North Carolina earlier this year to discuss our approach.

I spoke to Lee today and told him I was impressed with you in our meeting, the fact you made it to the IOGCC meeting, and believe you all should be introduced.

Regards,
Tom Williams
President, RPSEA

Ex. 6

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell: **Ex. 6**
wagner.kenneth@epa.gov

Lee Fuller
IPAA
Vice President - Government Relations

Ex. 6 Work
Mobile

Fuller@ipaa.org
1201 15th Street NWSuite 300
Washington, DC 20005

Delivery Report

From: postmaster@acc.int [postmaster@acc.int]
Sent: 4/24/2018 5:38:49 PM
To: Bowman, Liz [liz_bowman@americanchemistry.com]
Subject: Undeliverable: Re: Ken Wagner and Albert Kelly
Attachments: Re: Ken Wagner and Albert Kelly

Your message

To: Wilcox, Jahan
CC: Bowman, Liz; Kelly, Albert
Subject: Re: Ken Wagner and Albert Kelly
Sent: 4/24/2018 5:38:42 PM

Delivery has failed to these recipients or groups:

Bowman, Liz (liz_bowman@americanchemistry.com)

The e-mail address you entered couldn't be found. Please check the recipient's e-mail address and try to resend the message. If the problem continues, please contact your helpdesk.

Diagnostic information for administrators:

Generating server: acc.int

liz_bowman@americanchemistry.com
#550 5.1.1 RESOLVER.ADR.RecipNotFound; not found ##

Original message headers:

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DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov;

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Received: from GCC01-DM2-obe.outbound.protection.outlook.com (mail-dm2gcc01on0121.outbound.protection.outlook.com [23.103.201.121]) (Using TLS) by us-smtp-1.mimecast.com with ESMTP id us-mta-64-e6HwXDYONnum6YHvADYcaw-1; Tue, 24 Apr 2018 13:38:44 -0400

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Received: from DM5PR09ME2268.namprd09.prod.outlook.com

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([fe80::e482:d5ca:3c59:1f6c%17]) with mapi id 15.20.0696.019; Tue, 24 Apr
2018 17:38:42 +0000

From: "Wagner, Kenneth" <wagner.kenneth@epa.gov>
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
CC: "Bowman, Liz" <Liz_Bowman@americanchemistry.com>, "Kelly, Albert"
<kelly.albert@epa.gov>

Subject: Re: Ken Wagner and Albert Kelly
Thread-Topic: Ken Wagner and Albert Kelly
Thread-Index: AQHT2/EE35zajNM8bEC7kYdeAVbJ5aQQLS9AgAABG+I=
Date: Tue, 24 Apr 2018 17:38:42 +0000
Message-ID: <5F544EDC-6AAC-4819-9D7F-F315459FC074@epa.gov>

References:
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In-Reply-To:
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MIME-Version: 1.0
X-MS-Office365-Filtering-Correlation-Id: 79c4bc87-2293-431c-fa81-08d5aa0a3910
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X-MS-Exchange-CrossTenant-originalarrivalttime: 24 Apr 2018 17:38:42.5508
(UTC)
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X-MC-Unique: e6HwXDYONnum6YHvABYcaw-1
Authentication-Results: mimecast.com;
 spf=pass (spfCheck: domain of epa.gov designates 23.103.201.121 as permitted
sender) client-ip=23.103.201.121; envelope-from=wagner.kenneth@epa.gov; helo=GCC01-DM2-
obe.outbound.protection.outlook.com
Content-Type: multipart/alternative;
 boundary="__000_5F544EDC6AAC48199D7FF315459FC074epagov__"
Return-Path: wagner.kenneth@epa.gov

Message

From: Wagner, Kenneth [wagner.kenneth@epa.gov]
Sent: 4/24/2018 5:38:42 PM
To: Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
CC: Bowman, Liz [Liz_Bowman@americanchemistry.com]; Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]
Subject: Re: Ken Wagner and Albert Kelly

What are you suggesting?

Kenneth Wagner
Senior Advisor to the Administrator
Regional & State Affairs
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington DC 20001

(202)564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Apr 24, 2018, at 12:35 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

I would keep this very short. Sara is a very dishonest reporter.

From: Ganim, Sara [<mailto:Sara.Ganim@turner.com>]
Sent: Tuesday, April 24, 2018 1:31 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Ken Wagner and Albert Kelly

Hi Jahan -- We are working on a story for today on the previous relationships that Scott Pruitt had with Albert Kelly and Ken Wagner.

We plan to report the following:

Albert Kelly, banned from banking by the FDIC in 2016, was the person who qualified Scott Pruitt for a \$2 million loan to buy a share of a baseball team when he was making just \$38,000 per year. He also financed several of Pruitt's homes. Pruitt then hired him to reform the EPA's superfund sites.

Ken Wagner, one of Pruitt's law school friends, hired Pruitt to work at his law firm, and in turn, Pruitt sent more than \$600,000 in contracts to the firm while he was OK Attorney General, years later.

Wagner also knew Kelly, since he also had a share in the team, financed by Spirit Bank, and from representing the bank on development projects.

In fact, the Wagner law firm is located in the Spirit Bank event center, two doors down from the Spirit Bank mortgage office.

In addition, we are reporting on increased questions from Republicans on the Hill. Are you concerned?

--

Sara Ganim
CNN Washington

Ex. 6

Message

From: Tudor, David [dtudor@aeci.org]
Sent: 4/4/2018 2:38:24 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: FW: M7M Press Release
Attachments: Associated Tenaska Clear Creek wind project release Feb 12 2018.pdf

Ken – attached is the press release on our wind project and below is a link to our press release on the smelter contract in southern Missouri.

DT

From: Jump, Tiffany
Sent: Wednesday, April 04, 2018 9:24 AM
To: Tudor, David <dtudor@aeci.org>
Subject: M7M Press Release

[AECI public website](#)

The same release was posted in the Missouri Times, too.

Tiffany Jump, CAP, TA
executive assistant

ASSOCIATED ELECTRIC COOPERATIVE, INC.
P.O. Box 754 | Springfield MO 65801-0754
Ex. 6 (direct) | Ex. 6 (cell)
tjump@aeci.org | ●●●●



FOR IMMEDIATE RELEASE – Feb. 12, 2018

Media Contacts: Timberly Ross

Office: (402) 691-9517

Mobile: **Ex. 6**

tross@tenaska.com

Mark Viguet

Office: (417) 371-5246

Mobile: **Ex. 6**

mviguet@aeci.org

**Tenaska Signs Long-term Power Purchase Agreement
with Associated Electric Cooperative for Missouri Wind Project**

*236-megawatt Tenaska Clear Creek Energy Center
to Deliver Renewable Energy Starting in 2020*

MARYVILLE, Missouri – Tenaska, one of the leading independent power producers in the United States, has signed a long-term power purchase agreement (PPA) with Associated Electric Cooperative Inc. (Associated) with a capacity of approximately 236 megawatts (MW) of renewable power from a wind project in northwest Missouri.

The Tenaska Clear Creek Energy Center project, currently in advanced development, is located near Maryville in Nodaway County. Under the terms of the 25-year PPA that was announced Monday at an event at Northwest Missouri State University, the project is anticipated to be operational in 2020.

“We are excited to be starting a new relationship with Associated, a relationship that will bring more renewable generation and significant economic benefits to the region,” said Greg Kelly, president and managing director in Tenaska’s Strategic Development & Acquisitions Group. “We look forward to completing development and construction of Tenaska Clear Creek and putting this project into operation.”

Tenaska, based in Omaha, Nebraska, has successfully developed approximately 10,000 MW of natural gas-fueled and renewable power projects. The company has mid- to advanced-

-More-

stage wind development projects in the Midwest and is considering opportunities across the United States.

Associated Electric, an electric generation and transmission cooperative based in Springfield, provides wholesale power to six regional cooperatives, including NW Electric Power Cooperative Inc. of Cameron, Missouri, and 51 local cooperative systems in Missouri, southeast Iowa and northeast Oklahoma that serve 910,000 members. Associated's diverse resource mix includes coal, natural gas, wind and hydropower.

"This agreement secures long-term, fixed and competitively priced renewable energy for our members, serving as a buffer against projected increases in fuel prices," said David J. Tudor, Associated's CEO and general manager. "With our experience managing significant amounts of wind power on our system, Clear Creek is a good fit for our power supply portfolio."

The Tenaska Clear Creek project, which will utilize Associated's strong transmission interconnections, will be comprised of 100 to 120 wind turbines able to produce 2 to 3 megawatts each. Vestas is currently anticipated to supply the wind turbines and provide maintenance services for the project. Construction is expected to begin in 2019.

Construction and operation of Tenaska Clear Creek is expected to boost the local economy, with a total estimated construction cost of \$200 million to \$300 million. The project will create more than 200 jobs at peak construction and up to 15 full-time jobs when operational, in addition to providing opportunities for local businesses to provide goods and services for the project.

The project is also anticipated to result in increased tax revenue of more than \$1.2 million annually to local units of government, as well as diversify land use and provide stable income – estimated at more than \$1.2 million annually – to landowners through lease payments.

About Tenaska

Tenaska, based in Omaha, Nebraska, is one of the leading independent power producers in the United States. *Forbes* magazine ranks Tenaska among the largest privately held U.S. companies. Tenaska and its affiliates have developed approximately 10,000 megawatts (MW) of natural gas-fueled and renewable power generation and manage operations for approximately 7,000 MW of power generation consisting of nine power plants.

Tenaska formed Tenaska Clear Creek Wind, LLC to build, own and operate the Tenaska Clear Creek Energy Center.

Tenaska affiliates also market natural gas and electric power and provide energy risk management services. Tenaska is involved in asset acquisition, natural gas fuel supply and

transportation systems, and electric transmission development. For more information about Tenaska, visit www.tenaska.com.

About Associated Electric Cooperative Inc.

Associated Electric Cooperative Inc. is owned by and provides wholesale power to six regional and 51 local electric cooperative systems in Missouri, southeast Iowa and northeast Oklahoma that serve 910,000 members. Associated's mission is to provide an economical and reliable power supply and support services to its members. Associated is a Touchstone Energy Cooperative.

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 4/2/2018 9:53:25 PM
To: Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]
Subject: Magellan Midstream Partners

Good afternoon Mandy...Magellan's CEO Mike Mears would appreciate an opportunity to speak with the Administrator for a few minutes regarding the RFS. Could you please let me know he is available for a brief call anytime this week?

Thank you in advance for your assistance.

Bruce Heine
Vice President Government and Media Affairs
Magellan Midstream Partners
Tulsa, OKLA

Ex. 6

Message

From: Michael Dourson [dourson@tera.org]
Sent: 3/9/2018 2:29:54 PM
To: mail@sabinebonneck.de; aimin.chen@uc.edu; aroberson@coronaenv.com; jovanovic@risk-technologies.com; anatha.desikan@ici-group.com; akorchevskiy@c-ih.com; aseeley@dep.nyc.gov; athenakeene@aftonchemical.com; bneal@exponent.com; blester@wildflavors.com; Macler, Bruce [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ee099ddc12664019a8e5acec3ea2bbe3-BMACLER]; camile.jones@cincinnati-oh.gov; carolina.livi@agilent.com; daniel.newman@ks.gov; dproctor@toxstrategies.com; dcortes@statanalysis.com; elliot_howard@manchin.senate.gov; frank.hawkins@iucn.org; gabriel.knudsen@nih.gov; Woodall, George [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a617aad87171414a8b9fca5ce395a899-Woodall, George]; g.kaptan@leeds.ac.uk; Jack Early [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user767059ae]; james.s.smith454.civ@mail.mil; jane_macaulay@hc-sc.gc.ca; jcongleton@ewg.org; john.boll@caruscorporation.com; john.cummings@fmc.com; jmitchell@nsf.org; kshao@indiana.edu; karen.christian@uc.edu; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; kshenry@thinet.com; lsteadha@idem.in.gov; ltrozzolo@trcsolutions.com; secretariat@scic.sg; lrecio@ils-inc.com; lcorey@intertox.com; murrislb@uc.edu; luisa.camacho@fda.hhs.gov; mandy.fung@hc-sc.gc.ca; mark_gibson@americanchemistry.com; miao-li@uiowa.edu; michael.zolandz@dentons.com; nancy.sauer@aecom.com; nsdeshmukh@intoxlab.com; nina.wang@gov.ab.ca; aawayemi@my.tnstate.edu; rswaffer@ihs.gmu.edu; ragnar.lofstedt@kcl.ac.uk; **Ex. 6** dewoskin@etiologic.net [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a02e9e20b24407e9eb04112b2c1ecd4-rdewoskin@e]; rettinger@geosyntec.com; rogerdrew@toxconsult.com.au; ruhi.rezaaliyan@syngenta.com; ruth.roberts@apconix.com; smarnold@dow.com; slaughter@mbsdc.com; sergey.grinshpun@uc.edu; parvezs@iu.edu; shawn.sager@arcadis.com; siddhanti@endynna.com; sofiemiller@gwu.edu; sol@toxsciadvisors.com; sreedhar@liveonbiolabs.com; skoenigsberg@cecinc.com; sklaine@clemson.edu; sgilbert@innd.org; susana.viegas@estesl.ipl.pt; teresa.sterner.ctr@us.af.mil; obayashiy@ajiusa.com
Subject: Rejoining TERA

Dear Colleagues

I am pleased to announce my return to the nonprofit 501c3 organization, *Toxicology Excellence for Risk Assessment* (TERA), as its Director of Science. As many of you know, TERA joined the University of Cincinnati, College of Medicine (<https://med.uc.edu/eh/centers/rsc>) two years ago and became known as the Risk Science Center (RSC). However, TERA always maintained an external nonprofit organization under the leadership of Dr. Patricia McGinnis in order to complete several contracts, including one with the Consumer Products Safety Commission.

TERA's Board of Trustees has decided to continue TERA as a nonprofit organization and remain a separate entity from the RSC. TERA's mission will emphasize hazard identification, dose response assessment, independent peer review, and public education. Dr. McGinnis will continue to serve as TERA's President leading the business and contributing to projects as a board-certified toxicologist.

As many of you also know, TERA's extensive collaborative work was woefully mischaracterized during my US EPA confirmation hearings. Responses to this mischaracterization can be viewed at <http://tera.org/TERAcollaborativework%2012.8.17.pdf>. You may also wish to view <https://www.cincinnati.com/story/news/politics/2018/01/25/university-cincinnati-professor-former-uc-professor-dourson-picks-up-pieces-after-failed-controversi/1047685001/> for some additional thoughts on this confirmation process.

TERA looks forward to the opportunity to work with you in the future. If you are attending the annual meeting of the Society of Toxicology next month, please stop by our booth #555.

Cheers!

Michael...

...L. Dourson, Ph.D., DABT, FATS, FSRA
Director of Science



Toxicology Excellence For Risk Assessment
1250 Ohio Pike, Suite #197
Amelia, Ohio 45102-1239

Email dourson@tera.org

[Twitter.com/mdourson](https://twitter.com/mdourson)

Phone **Ex. 6**

Fax 513.964.9472

Alt Phone **Ex. 6**

Independent • Non-Profit • Science



Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 2/27/2018 3:19:21 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Magellan Midstream Partners

Good morning Ken...did you get a chance to speak with Dave Harlow regarding the small refiner issue we discussed a few weeks ago?

Thanks

Bruce

Sent from my iPhone

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 2/25/2018 10:05:47 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Magellan Midstream Partners

Good afternoon Ken...could you please pass this message to Administrator Pruitt for me? Thanks

Administrator...Magellan is generally supportive of the following action items to reduce RIN prices:

1. Allow RINs for renewable fuel exports to be used for domestic compliance.
2. A waiver credit which would allow obligated parties to purchase RINs from EPA at a reasonable price. This would include a price cap.

Thanks in advance for your consideration of our position.

Bruce Heine
Magellan Midstream Partners

Ex. 6

Sent from my iPhone

Message

From: Dravis, Samantha [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ECE53F0610054E669D9DFFE0B3A842DF-DRAVIS, SAM]
Sent: 4/7/2017 12:23:50 PM
To: Heine, Bruce [Bruce.Heine@magellanlp.com]
CC: Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: Follow-up

Works for me as well.

Sent from my iPhone

On Apr 7, 2017, at 7:47 AM, Heine, Bruce <Bruce.Heine@magellanlp.com> wrote:

Thanks Mandy...Works for me.

Bruce

Sent from my iPhone

On Apr 6, 2017, at 11:45 PM, Gunasekara, Mandy <Gunasekara.Mandy@epa.gov> wrote:

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Hi Bruce – Monday morning would be best. Does 9:30 (EST) work for everyone?

From: Heine, Bruce [<mailto:Bruce.Heine@magellanlp.com>]
Sent: Thursday, April 6, 2017 2:30 PM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: Re: Follow-up

Mandy...any chance to set up a conference for this Monday or Tuesday morning?

Thanks

Bruce

Sent from my iPhone

On Apr 3, 2017, at 6:52 PM, Gunasekara, Mandy <Gunasekara.Mandy@epa.gov> wrote:

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Hi Bruce,

I hate that we missed you this afternoon, but Ken said that you had a very productive meeting with the Administrator. It would be great to set-up a call with myself and Samantha to discuss pertinent RFS issues. Let me know when you have some time over the next few days to discuss.

Safe travels back and I hope all is well!

Best,

Mandy

Message

From: Lee Fuller [fuller@ipaa.org]
Sent: 1/19/2018 10:50:13 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: Postponement of Oil and Gas Roundtable

Thanks. Unfortunate.

Sent from my iPhone

On Jan 19, 2018, at 5:29 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Dear Round Table Participant:

After much deliberation and thought and considering the unique circumstances surrounding the uncertainty of the government shut down, we have decided to postpone the scheduled Oil & Gas Round Table. I assure you that this decision was not made lightly.

Given that many of you will be traveling many miles from diverse parts of the United States, we felt that it was unfair to cause you to spend valuable resources for a meeting that we cannot fully attend due to travel limitations. Moreover, this meeting (and its subject matter) is entirely too important to not be fully-prepared and all have all aspects ready for the best possible meeting.

Rest assured that we will move quickly to reschedule this important meeting. You, as a confirmed participant, will be given a first right of refusal to confirm your spot for the rescheduled meeting. Please accept our most sincere apology for the inconvenience and know that these circumstances are truly out of our control. We are looking forward to hearing all of your individual perspectives on these important issues.

If you have any further questions, please feel free to contact Jim Kenney by email at kenney.james@epa.gov or by phone at Ex. 6

Respectfully,

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional and State Affairs*
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

Message

From: Brad Albin [Brad.Albin@REGI.com]
Sent: 1/25/2018 11:17:03 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: REG Letter
Attachments: REG Pruitt Letter 01252018.pdf

Kenneth,

Attached is the letter we discussed that you'll hand deliver. We are sending in mail to Scott and Bill Wehrum.

At some point our Lindsay Fitzgerald (Sr Mgr, Gov Affairs and used to work at the EPA) would like to send email as well to Ryan Jackson and Mandy Gunasekara. We thought we would wait until Monday or Tuesday. Does that sound right to you or would you rather do it differently?

Thanks and let me know if you need anything,

Brad

Brad Albin | VP, Manufacturing | REG Biofuels, LLC
Renewable Energy Group® | 416 S. Bell Ave. | Ames IA 50010 -- 0888
(O) Ex. 6 | (M) Ex. 6 | (F) +1 515-239-8019
brad.albin@REGI.com | www.REGI.com

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January 25, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Code: 1101A
Washington, DC 20460
pruitt.scott@epa.gov

Dear Administrator Pruitt,

Thank you for visiting Bill Couser's farm in central Iowa and taking time to talk with us about the Renewable Fuel Standard (RFS). You actively listened and openly answered our questions and seem committed to learning the facts and taking prompt action on important issues. We both left the meeting truly encouraged that we can work together and positively address opportunities and challenges now and in the future. We are watching your EPA "Back to Basics" regulatory agenda with interest and look forward to additional efficiencies in your second year. We admire your commitment to the rule of law, dedication to stakeholders, and mission to provide regulatory certainty to industry, all while protecting both the environment and American jobs.

As the largest producer of advanced biofuel in the country, we have been actively engaged with the EPA for years and are fortunate to have had a good working relationship with EPA staff. As we have discussed with them, and again with you at the farm, there are a few areas that we believe should be quickly addressed that would result in reduced regulatory burden, reduced costs through lower RIN prices, and enhanced program integrity. We appreciate your attention and willingness to help expedite these matters.

1. **REG requests a determination letter from EPA, similar to the attached sample, clarifying that various forms of esterification technologies (both stand alone and pre-treatment) are similar to transesterification and qualify as part of the approved pathway.** In early 2015, Renewable Energy Group (REG) prepared a pathway petition for an acid esterification process for REG Mason City, LLC. This petition would have allowed for an increase in production capacity of 10-15 million gallons of biodiesel annually increasing supply and thus lowering RIN prices. This process would allow REG Mason City, LLC to use low quality feedstocks like brown grease, converting it to biodiesel, and diverting it from landfill and wastewater treatment plants. At that time, EPA advised REG not to submit a petition, stating it would not be reviewed, but they intended to revisit the issue at a later date. To date, this has not been addressed. As you yourself have stated, this kind of agency inaction does *nothing* to improve compliance or the environment. EPA's own analysis in the 2012 Additional Fuel Pathways Direct Final Rule¹ states that at least 71% GHG emission reduction thresholds would be met by this standalone process. This portion, and others, of the Direct Final rule were withdrawn in March of 2012². To remedy

¹ <https://www.epa.gov/fhys/pkg/FR-2012-01-05/pdf/2011-31577.pdf>

² <https://www.epa.gov/fhys/pkg/FR-2012-03-05/pdf/2012-S256.pdf>

this inaction REG has proposed a Determination Letter (see attached sample) similar to prior letters³ on this subject, stating that various forms of esterification technologies are substantially similar to transesterification and thus does not need a separate pathway. This would provide *all* biodiesel producers much needed regulatory clarity and certainty allowing the industry to continue to grow volumes and rural jobs, while reducing costs through lower RIN prices as additional production comes online. While EPA staff has expressed concerns around potential non-qualifying feedstocks being used in this process, that is a separate issue from the process technology itself and should be treated as such.

2. **REG requests a meeting with your senior staff to engage in substantive discussions on the future of EPA's draft REGS rule and the confusion around feedstock and process definitions.** The proposed Renewables Enhancement and Growth Support (REGS) rulemaking, created additional confusion and uncertainty around feedstock eligibility, both within the industry and the Agency. The additional regulatory burden from a poorly designed rule would be inconsistent with common industry practice and would be costly to implement. As we stated in our comments to the draft REGS rule,⁴ this proposed rule further exacerbates the interpretation of existing regulations and should face significant scrutiny by the Administration prior to finalization or be withdrawn in its entirety. This is an issue that *all* RFS stakeholders as well as other regulated industries have an interest in resolving.
3. **REG requests assistance with new pathway requests.** These pathways are consistent with those currently approved and would allow for additional volumes of renewable fuel to enter the marketplace. This will have the effect of reducing RIN prices by creating more supply.
 - a. CR-13053. Submitted 1/27/16 and resubmitted 6/7/17.
 - b. CR-16202, CR-16203, and CR-16204. Submitted 6/21/17.
 - c. Biogenic waste oils/fats/greases petition for REG Geismar, LLC for naphtha/LPG.
4. **REG requests assistance with the following outstanding REG Company Requests (CR) and pathway petitions in the queue listed below.**
 - a. Separated Food Waste Plan update for all REG facilities. Palm Sludge Oil (PSO) and Spent Bleaching Earth Oil (SBE Oil) are both waste products that originate from palm oil mills producing palm oil for the food industry and should qualify as a separated food waste when properly tracked. While an Agency determination was made in the past, it has been arbitrarily revoked resulting with industry being left in regulatory limbo. REG has spent several years and significant resources to develop a palm sludge oil (PSO) supply chain and system of documentation. This was submitted as a specific separated food waste plan in early 2016. To date, we have satisfied all requests for information, and thus seek immediate approval. Additionally, EPA should publically provide clarity to all stakeholders what the requirements there are for feedstocks to qualify as separated food waste.
 - i. CR-13056. Submitted on 1/27/16.
 - ii. CR-14036. Submitted on 7/29/16.

³ <https://www.epa.gov/files/production/files/2015-08/document/dumix-determination-ltr-3-7-14.pdf>

⁴ <https://www.regulations.gov/document?D=EPA-HQ-OAR-2016-0041-0267>

5. REG requests Notice(s) for Proposed Rulemaking (NPRM)⁵ for Carinata Oil, Pennycress oil, Cottonseed Oil, and Jatropha Oil. We also request that any feedstocks listed under Entries F and H in Table 1 in §80.1426 be evaluated and added to Entry I concurrently. We appreciate the Agency's commitment to evaluating and finalizing new feedstocks including the recent proposal for grain sorghum oil. In the spirit of increasing feedstock volumes and reducing RIN costs, we request that Carinata, Pennycress, Cottonseed, and Jatropha Oil be proposed and finalized as soon as possible. The industry is aware that these feedstocks were modeled in 2015, but faced process hurdles under the previous administration that prevented their inclusion to the program. This has resulted in REG, and other stakeholders, along with EPA staff, spending countless hours working on biorefinery specific pathway petitions for these feedstocks. By issuing a proposal and finalizing the updates to the regulation, stakeholders and the Agency would have greater certainty around feedstock availability. Inclusion of these feedstocks to Table 1 in §80.1426 could add up to 683 million gallons of biomass-based diesel and advanced biofuel annually by 2022 per EPA's own analysis⁶.

Thank you again and please feel free to contact us with any questions.

Sincerely,



Randy Howard and Brad Albin
CEO and VP, Manufacturing
Renewable Energy Group, Inc.
+1 515-715-0825 and +1 515-370-4877
Randy.Howard@REGL.com and Brad.Albin@REGL.com

Cc: William Wehrum

⁵ <https://www.gpo.gov/fdsys/pkg/FR-2017-12-27/pdf/2017-27946.pdf>

⁶ Carinata Oil – pg. 22999: <https://www.gpo.gov/fdsys/pkg/FR-2015-04-24/pdf/2015-09618.pdf>
Pennycress Oil – pg. 15004: <https://www.gpo.gov/fdsys/pkg/FR-2015-03-20/pdf/2015-06444.pdf>
Cottonseed Oil – pg. 41036 : <https://www.gpo.gov/fdsys/pkg/FR-2015-07-14/pdf/2015-17262.pdf>
Jatropha Oil – pg. 61413 - <https://www.gpo.gov/fdsys/pkg/FR-2015-10-13/pdf/2015-26039.pdf>

SAMPLE DETERMINATION LETTER

Thank you for your interest in the Renewable Fuel Standard (RFS) program. We have reviewed your petition request submitted pursuant to 40 CFR 80.1416, dated XX. In this petition, you requested EPA's assessment of the eligibility of REG's proposal to produce biodiesel from qualifying feedstocks using an esterification process technology similar to the common industry process for producing biodiesel as already approved for certain biodiesel fuel pathways under the RFS program (see Table 1 to 40 CFR 80.1426 for the list of approved biodiesel pathways). Approved use of this process, and others sharing similar approved technologies would allow for these feedstocks to be diverted from landfills and wastewater treatment plants at the REG Mason City production facility, as well as others enabled to utilize similar technology.

According to the information supplied in your petition, this process technology is sufficiently similar to the approved transesterification technology to be covered by existing biodiesel transesterification pathways for these feedstocks. Based on the information provided, the existing regulations cover your technology option and a petition for a new fuel pathway is unnecessary. Therefore, you may proceed with the RFS registration process. If you have any additional questions on the petition or registration process, please contact the support line by emailing support@epamts-support.com.

Message

From: Kenney, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CE6FF86939E44DA49D88840B2353F022-KENNEY, JAMES]
Sent: 1/3/2018 5:48:30 PM
To: Coughlin, Dawn [DCoughlin@hess.com]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Oil and Natural Gas Roundtable Invitation

Hi Dawn,

Thank you for your response. In terms of future engagement opportunities, both ECOS and IOGCC agreed to continue the discussions stemming from the January roundtable at their respective spring meetings. The ECOS Spring Meeting will take place in March in St. Paul, Minnesota and the IOGCC Annual Business meeting will take place in May in Oklahoma City, Oklahoma. EPA intends to be present at and support our cosponsors in furthering such discussions. I wanted to flag these opportunities for you and Hess in the event schedules allow for such participation.

As seating allows, we will be reaching out to other organizations and I will keep Kari Cutting and the North Dakota Petroleum Council on the list of prospective attendees. I appreciate you providing her information – very helpful!

Thanks again and don't hesitate to reach out if I can be of further assistance.

Sincerely,
Jim Kenney

--

James C. Kenney
Senior Policy Advisor
Unconventional Oil and Gas
US EPA

Desk/Mobile: **Ex. 6**
Email: kenney.james@epa.gov

Please note: I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).

As with any email, this message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

From: Coughlin, Dawn [mailto:DCoughlin@hess.com]
Sent: Wednesday, January 03, 2018 8:24 AM
To: Kenney, James <Kenney.James@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: Oil and Natural Gas Roundtable Invitation

Hello Jim,

Thank you for the invitation to join the January 23 Oil and Natural Gas Roundtable. Hess respectfully declines the invitation due to scheduling conflicts of the appropriate representatives within our organization.

I would recommend that you reach out to Kari Cutting with the North Dakota Petroleum Council to discuss the roundtable. She or someone from the NDPC may be a potential alternative stakeholder for this event. She can be reached at kcutting@ndoil.org or 701-223-6380.

Regards,

Dawn

Dawn M. Coughlin
Sr. Advisor, Regulatory and Environmental Affairs
Hess Corporation
1501 McKinney Street
Houston, TX 77010
Office: Ex. 6 Mobile: Ex. 6
Email: dcoughlin@hess.com

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Friday, December 22, 2017 3:26 PM
To: Coughlin, Dawn <DCoughlin@hess.com>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: Oil and Natural Gas Roundtable Invitation

Ms. Coughlin,

The U.S. Environmental Protection Agency (EPA), the Environmental Council of States (ECOS), and the Interstate Oil and Gas Compact Commission (IOGCC) are cosponsoring an oil and natural gas roundtable to be held on January 23 and 24, 2018 in Denver, Colorado. As a valued stakeholder committed to responsible oil and natural gas exploration and production, you are cordially invited to participate.

At the roundtable, a small number of oil and natural gas stakeholders representing the upstream exploration and production segment will convene to share their individual expertise and experiences. Invited stakeholders will include representatives from industry, trade associations, state agencies, tribal governments, non-governmental organizations, as well as USEPA leadership and staff. As the enclosed draft agenda indicates, the roundtable will initially focus on identifying barriers that prevent the shared goal of cost-effective and timely compliance with environmental regulations. We are hopeful that these discussions will begin the process of building partnerships to achieve better compliance through thoughtful solutions achieved together with all stakeholders' points of view being considered. The roundtable will later focus on taking stakeholders' ideas and examples with the express goal of releasing the proceedings of the roundtable publicly. Please note, the facilitated roundtable discussions will not be attributed to individual stakeholders and EPA does not aim to seek consensus. Following the January roundtable, ECOS and IOGCC have agreed to continue to build on the momentum of the roundtable discussions at their respective Spring 2018 meetings.

Since space is limited, attendance is by invitation only. If you are not personally able to attend, you are encouraged to designate someone within your organization to take your seat. If you or a designee from your organization cannot attend, please let us know as soon as possible so that we can fill the vacant seat with another stakeholder.

To secure your space at the roundtable, please RSVP by **Thursday, January 4, 2018** to James Kenney, our Senior Policy Advisor for Unconventional Oil and Natural Gas, via email at kenney.james@epa.gov. Jim will send you a confirmation email and additional logistics. If you have any questions about the oil and natural gas roundtable, please feel free to contact Jim by email or by phone at Ex. 6

EPA appreciates your commitment to responsible oil and natural gas production and I look forward to productive discussions in January.

Respectfully,

/s/ Ken

Kenneth E. Wagner

Senior Advisor to the Administrator

For Regional and State Affairs

U S Environmental Protection Agency

202-564-1988 office

Ex. 6 cell

wagner.kenneth@epa.gov

Message

From: Coughlin, Dawn [DCoughlin@hess.com]
Sent: 1/3/2018 3:23:34 PM
To: Kenney, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce6ff86939e44da49d88840b2353f022-Kenney, James]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Oil and Natural Gas Roundtable Invitation
Attachments: Draft January Roundtable Agenda.docx

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I would recommend that you reach out to Kari Cutting with the North Dakota Petroleum Council to discuss the roundtable. She or someone from the NDPC may be a potential alternative stakeholder for this event. She can be reached at kcutting@ndoil.org or **Ex. 6**

Regards,
Dawn

Dawn M. Coughlin
Sr. Advisor, Regulatory and Environmental Affairs
Hess Corporation
1501 McKinney Street
Houston, TX 77010
Office: **Ex. 6** Mobile: **Ex. 6**
Email: dcoughlin@hess.com

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Friday, December 22, 2017 3:26 PM
To: Coughlin, Dawn <DCoughlin@hess.com>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: Oil and Natural Gas Roundtable Invitation

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compliance with environmental regulations. We are hopeful that these discussions will begin the process of building partnerships to achieve better compliance through thoughtful solutions achieved together with all stakeholders' points of view being considered. The roundtable will later focus on taking stakeholders' ideas and examples with the express goal of releasing the proceedings of the roundtable publicly. Please note, the facilitated roundtable discussions will not be attributed to individual stakeholders and EPA does not aim to seek consensus. Following the January roundtable, ECOS and IOGCC have agreed to continue to build on the momentum of the roundtable discussions at their respective Spring 2018 meetings.

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EPA appreciates your commitment to responsible oil and natural gas production and I look forward to productive discussions in January.

Respectfully,

/s/ Ken

Kenneth E. Wagner

Senior Advisor to the Administrator

For Regional and State Affairs

U S Environmental Protection Agency

202-564-1988 office

Ex. 6 cell

wagner.kenneth@epa.gov

Oil and Natural Gas Roundtable
Tuesday, January 23 and Wednesday, January 24, 2018
U.S. EPA Region 8 | 1595 Wynkoop Street | Denver, Colorado 80202

Agenda for Tuesday, January 23, 2018

8:00-8:30 am **Registration**

8:30-9:00

Welcome

Doug Benevento, Regional Administrator
U.S. Environmental Protection Agency Region 8

Opening Remarks

Ken Wagner, Senior Advisor to the Administrator for Regional and State Affairs
U.S. Environmental Protection Agency

Martha E. Rudolph, Co-Chair
Shale Gas Caucus
Environmental Council of States
and Director of Environmental Programs
Colorado Department of Public Health and Environment

Matthew J. Lepore, Vice Chairman
Interstate Oil and Gas Compact Commission
and Director of Colorado Oil and Gas Conservation Commission
Department of Natural Resources

9:00-9:20

Orientation and Participant Introductions

Oil and Natural Gas Roundtable Facilitator

9:20-10:15

Session 1: Identifying Barriers which Prevent Cost-Effective and Timely Compliance

Roundtable Discussion

In this session, we will discuss specific barriers that prevent cost-effective and timely compliance. Identifying the root causes of these barriers will aid in finding meaningful solutions. In this session, participants will share their individual ideas or experiences. By the end of this session, the participants will have a list of the common barriers to cost-effective and timely compliance and their underlying root causes. Further, participants will discuss how the barriers/root causes fit into the following categories: (1) Regulation and Policy, (2) Permitting, or (3) Compliance Assurance.

10:15-10:30

Break

10:30-11:45

Continuation of Session 1: Identifying the Barriers to Cost-Effective and Timely Compliance

Roundtable Discussion

11:45-1:00

Lunch

1:00-2:45 pm

Session 2: Identifying Meaningful Solutions to Improve Cost-Effective and Timely Compliance

Roundtable Discussion

In this session, participants will work within one of three topic areas: (1) Regulation and Policy, (2) Permitting, or (3) Compliance Assurance. During this session, each participant will identify

meaningful solutions to the to the barriers pertaining to their respective track and their root causes. In this session, participants will share their individual ideas or experiences. Arriving at a variety of meaningful solutions for each barrier/root cause is the desired outcome.

Topic Area 1: Regulation and Policy

Discussion leader:

Richard Simmers, Second Vice Chair, IOGCC
and Chief, Division of Oil and Gas Resource Management
Ohio Department of Natural Resources

Topic Area 2: Permitting

Discussion leader:

David Glatt, Co-Chair
Shale Gas Caucus
Environmental Council of States
and Chief of the Environmental Health Section
North Dakota Department of Health

Topic Area 3: Compliance Assurance

Discussion Leader:

Patrick Traylor, Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

2:45-3:00 **Break**

3:00-4:45 **Session 3: A Menu of Solutions**

Roundtable Discussion

In this session, participants will come back together, and each of the three discussion leaders will share some of the key solutions related to the barriers associated with their respective topics that individual participants generated.

4:45 **Recap of Day One**
Oil and Natural Gas Roundtable Facilitator

5:00 **Adjourn**

Optional networking happy hour from 5:30 to 6:30 p.m. (Location TBD)

Agenda for Wednesday, January 24, 2018

8:00-9:00 **Session 1: Reactions to the Barriers, Root Causes, and Menu of Solutions**
Roundtable Discussion

During this session, participants will begin the day by sharing any reactions to the previous day's discussions.

9:00-10:00 **Session 2: Identification of Innovative, Successful Processes and Examples**
Roundtable Discussion

Presentation of two case studies in which innovative and creative solutions were employed to help resolve or lower the barrier(s) toward cost-effective and timely compliance. Following the presentation on the case studies, participants can share their individual experiences or ideas on areas ripe for innovative and creative solutions.

10:00-10:15 **Break**

10:15-11:15 **Session 3: The Path Forward**

Martha E. Rudolph and David Glatt, representing the Environmental Council of States Shale Gas Caucus and Matthew J. Lepore, representing the Interstate Oil and Gas Compact Commission will discuss the continuation of the January roundtable effort during their March and May meetings, respectively. EPA (TBD) will discuss how it intends to share the January roundtable outcomes with all stakeholders.

11:15-11:30 **Recap of Day Two**
Oil and Natural Gas Roundtable Facilitator

11:30-12:00 **Closing Panel Remarks**
Ken Wagner, Senior Advisor to the Administrator for Regional and State Affairs
U.S. Environmental Protection Agency

Todd Parfit, President
Environmental Council of States
Wyoming Department of Environmental Quality Director

Mike Smith, Executive Director
Interstate Oil and Gas Compact Commission

Message

From: Ed Russo [edru@us.water-gen.com]
Sent: 12/27/2017 11:20:34 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: yehuda@us.water-gen.com
Subject: Israel

Good morning Ken.

I understand the Administrator is headed to Israel in mid February. The technology I discussed regarding atmospheric water generating machines (water from air) was actually developed in Israel. Prime Minister Netanyahu included this new technology in his recent speech at the UN General Assembly showcasing examples how Israel is improving mankind.

I think a visit to the Water Gen facility in Israel would be a perfect way to acknowledge the contributions made by the people of Israel to reduce infant death caused by pollution world wide.

In fact, it would be very helpful if Rabbi Yehuda Kaploun, President, Water Gen USA, joined Administrator Pruitt on his trip to make sure he is familiar with this life saving capability that brings pure healthy water where there is none throughout the world. Also it would be an opportunity for the administrator to recognize the volunteer work that was done in Houston and Miami after the recent hurricanes generating water for FEMA and the Red cross

Please let me know if this could work and we can make all the arrangements. We are available to come to DC and discuss (amongst other important issues) the trip and the technology.

All the best.

Ed

Sent from my iPad

Message

From: Heine, Bruce [Bruce.Heine@magellanlp.com]
Sent: 11/21/2017 8:55:53 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Master Limited Partnerships
Attachments: Senate.HouseComparison.FINAL.pdf; Effect of the Modified Chairman's Mark.11162017.pdf; MLP.CorpConversion.pdf

Importance: High

Ken...thanks for returning my call earlier this afternoon. As mentioned, the Senate tax reform bill treats MLPs unfairly and we have serious concerns with the potential outcome if the current version of the Senate bill becomes law. The attachments above and backgrounder below provide more detail. I would appreciate it if you could pass this to your boss to see if he would contact Senator Cornyn to highlight the need to support the House version of the tax reform bill and the important role MLPs play in our nation's energy security.

Thanks

Bruce Heine
Magellan Midstream
Tulsa

Ex. 6

BACKGROUND

MLPs are publicly traded partnerships governed by Internal Revenue Code Section 7704, specifically Section 7704(c). Thirty years ago during the last major tax reform initiative, Congress – **with the active involvement of Senator Wallop** -- created the provision under which MLPs operate today. As narrowly defined by Congress in 1987, the MLP provision enables qualifying businesses to organize as pass-through tax entities and to raise capital from a broad base of investors by utilizing public equity markets. MLPs by definition are not closely-held partnerships.

Most of the assets held by MLPs are domestic. MLPs have successfully operated as Congress envisioned 30 years ago and now are an integral part of the way our nation raises capital to build critical infrastructure for domestic energy supplies, particularly natural gas, natural gas liquids (NGLs), crude oil, refined products and renewable fuels including ethanol and biodiesel.

More than 80% of all MLPs (and approximately 75% of the total MLP market capitalization of nearly \$400 billion) are involved in energy and natural resource related businesses, with the largest number of MLPs operating in the midstream sector. This sector has invested roughly \$30 billion each year for the past ten years for the development of an independent and state-of-the-art energy infrastructure platform for the United States. Approximately 75% of these investments have been focused on core infrastructure, including natural gas and liquids pipelines, storage facilities, processing plants, and related midstream assets. Critically, the infrastructure assets owned and developed by MLPs serve as the essential link between the production of natural resources and their delivery to consuming markets, without which the U.S. energy industry could not function.

MLPs provide individuals with a vehicle to invest and participate directly in the development and growth of U.S. energy infrastructure, natural resources, and real estate. Generally, the majority of retail MLP investors (either directly or through funds) are individuals over the age of 50. These MLP investments are particularly attractive investors reliant on a source of fixed income, such as seniors, because they generally distribute most of their operating cash flow each quarter, providing a steady, reliable income stream. The combination of investor demand for income-paying securities

and their pass-through status provides MLPs with a low cost of capital, ultimately supporting a lower cost of energy delivered to consumers.

The MLP structure has proven and continues to be a successful means of:

- Raising low cost capital through the public markets;
- Providing reliable returns to investors; and
- Building and maintaining critical infrastructure necessary to ensuring America's energy security and economic prosperity

PROBLEMS WITH CURRENT SENATE FINANCE COMMITTEE BILL

The current U.S. Senate Finance Committee-passed version of tax reform breaks from the policy positions of the Unified Framework for Tax Reform announced by leadership in Congress and the Trump Administration earlier this year. Further, it also varies widely from a House-passed version with regard to pass-throughs. **The Committee's approach seriously jeopardizes the MLP sector just as INGAA estimates that the country needs an estimated \$550 billion in energy infrastructure investments in the next 10 years.**

Under the Senate Bill, C-corps and individual shareholders pay a combined rate on taxable income of 36% plus the Net Investment Income Tax (NIIT – aka Obamacare Investment Tax) – not considering the benefit of the additional 12.5% dividends paid deduction (an 11.5% benefit vs. current law) -- which is permanent. MLPs and individual owners pay a combined rate on taxable income of 38.5 % (because individual owners get no benefit from the 17.4% deduction as a result of the wage limitation on the deduction) plus the 3.8% NIIT. What's more, the exception from the wage limitation for incomes under \$500,000 is irrelevant when talking about the effect of tax rates on MLP equity prices, since loss of investors in the higher income brackets will drive down unit prices for all. This results in MLPs and their individual owners being taxed at a higher rate than C-corps and their shareholders (and, after taking into account the non-deductibility of state income taxes, at a higher rate than under current law).

CONCLUSION

The pass-through tax rate differential under current law for MLPs, relative to corporations, reduces their cost of capital. This drives investment in energy infrastructure that Congress has long held to be economically and strategically important. The Senate Finance Committee bill would make it more expensive for MLPs to raise capital, risking reduced investment in domestic energy infrastructure. Reduced investment will compromise energy security and force consumers to pay higher prices, which ultimately could undermine the economic growth Congress seeks to stimulate with this Bill.

Effect of the Senate Finance Committee's Pass-Through Provision on MLPs

The Senate Finance Committee's "Tax Cuts and Jobs Act" ("the Bill") breaks from the policy positions of the Unified Framework. Rather than reducing the corporate rate to 20% and the rate individuals receive from pass-through business income to 25%, the Bill reduces the corporate rate to 20% permanently and, on a temporary basis, generally provides a 17.4% deduction with a limitation based on 50% on the partnership's W-2 income - essentially resulting in a 31.8% rate at best.

The Bill's current pass-through provision could have serious consequences on the ability of MLPs to raise low cost capital through the public markets for, among other things, the development of critical energy infrastructure. The pass-through tax rate differential under current law for MLPs, relative to corporations, reduces their cost of capital. This drives investment in energy infrastructure that Congress has long held to be economically and strategically important. The Bill would make it more expensive for MLPs to raise capital, risking reduced investment in domestic energy infrastructure. Reduced investment will compromise energy security and force consumers to pay higher prices, which ultimately could undermine the economic growth Congress seeks to stimulate with this Bill.

Q: Doesn't the Modified Chairman's Mark, which removes the W-2 wage limitation for unitholders earning less than \$500,000 (married filing jointly), provide the advantage of lower rates to MLPs?

A: Approximately two-thirds of MLPs have no employees and no W-2 wages. Many others have very few employees. While some unitholders in these MLPs might benefit from the 17.4-percent deduction for domestic qualified business income under the Bill, MLP units trade publicly, and their prices will be determined by market demand. Potential buyers of MLP units above the income threshold at which the W-2 wage limitation is turned off (\$500,000 married filing jointly) will face lower after-tax returns, driving down unit prices and driving up MLPs' cost of capital.

Q: Why can't MLPs simply incorporate?

A: Incorporation may trigger an immediate tax liability for the MLPs investors. A large portion of these investors are retirees or people nearing retirement who invested in MLPs, individually or through mutual funds to provide steady retirement income. In 2016, there were approximately 2 million individual investors in MLPs.

A transferor of an asset into a corporation has immediate gain to the extent liabilities associated with the asset exceed the transferor's basis in the asset. Debt of a partnership is allocated to its partners for this calculation. Many long-held interests in pass-through entities have a low or zero basis, so they will generally recognize taxable gain in the incorporation, without receiving any cash proceeds. In addition, some incorporation structures (like sponsor roll-ups of MLPs) are fully taxable transactions. Such transactions upset financial plans of investors and undermine faith in an industry that has already been hard hit by slumping oil prices.

Moreover, MLP unit holders may have no desire to hold corporate stock. MLPs are attractive to yield-oriented investors. MLPs traditionally distribute to owners a higher percentage of their cash from operations than C corporations. Existing MLP owners have purchased units based on that expectation. Consequently, such MLP owners may be inclined to sell any corporate stock they receive in a conversion transaction, which could depress prices.

Further, a policy that forces partnerships to incorporate is completely contrary to the Chairman's desire to move away from the current corporate double tax which produces economic distortions.

Q: What's the solution?

A: We believe the provision should be modified in a manner that allows MLPs to benefit from the permanent lower pass-through rate proposed in the House bill. At a minimum, all MLP unit holders should be fully exempted from the W-2 wage limitation, putting MLP distributions on par with distributions from REITs. While doing so would not provide a permanent solution, it would avoid causing immediate and irreversible damage to an entire industry, driving up consumer energy prices, and eliminating jobs.

WHY CAN'T MLPs JUST BECOME C-CORPORATIONS?

1. Incorporating a business instantly reduces its value. The business is worth what a buyer will pay for it. A buyer of a pass-through business gets an asset basis step up while a buyer of stock does not. So, a buyer will pay less for stock.

Example: Let us assume there is a zero-basis asset for which a buyer is willing to pay \$100. This is in part because of the value of future depreciation deductions of \$100 on the asset. If the same asset is in a corporation, the buyer will be willing to pay less than \$100, because the buyer's purchase price for the stock will produce no depreciation deductions to the corporation nor reductions in corporate earnings and profits. There also is a similar issue for the basis step-up at death, as a step-up in asset basis is more valuable than a step-up in stock basis.

2. Incorporation may trigger an immediate tax liability. A transferor of an asset into a corporation has immediate gain to the extent liabilities associated with the asset exceed the transferor's basis in the asset. Debt of a partnership is allocated up to its partners for this calculation. Many long-held interests in pass-through entities have a low or zero basis, so they will generally recognize taxable gain upon the incorporation, without receiving any cash proceeds. In addition, some incorporation structures (like sponsor roll-ups of MLPs) are fully taxable transactions.

3. Incorporation is permanent, but the 20 percent corporate rate may not be. Once an asset is incorporated, there is a significant tax cost to getting it back out of the corporation – tax to the distributing corporation and the distributee shareholder. So, if in the future, corporate tax rates rise relative to individual tax rates, the immediate tax cost of reversing the incorporation will generally be prohibitive.

4. MLPs are attractive to yield oriented investors. MLPs traditionally distribute to owners a higher percentage of their cash from operations than C-corps, and existing MLP unit holders have purchased units based on this expectation. MLPs are typically valued by the market based on yield on equity; therefore, MLPs are motivated to distribute a large percentage of cash flow. On the other hand, most C-corps are more traditionally valued in the market by reference to book earnings-per-share as opposed to dividends distributed. An MLP that converts into a C-corp in the traditional manner will be subject to having less cash (because of potential tax payments) to make distributions. The market may interpret an MLP incorporation, rightly or wrongly, as a signal that it will no longer be a yield driven security, thereby causing a sell-off by the original owners who purchased the security for its yield. (Contrast this with a REIT, which is also typically valued in the market based on its expected yield, is not subject to an entity level tax as long as it distributes most of its taxable income to its owners.)

Comparisons of the Senate & House Bills

Senate Bill

Under the Senate Bill, C-corps and individual shareholders pay a combined rate on taxable income of 36% plus NIIT¹ (without considering the benefit of the additional 12.5% dividends paid deduction) an 11.5% benefit vs. current law, which is permanent.

MLPs and individual owners pay a combined rate on taxable income of 38.5 % (because individual owners get no benefit from the 17.4% deduction as a result of the wage limitation on the deduction) plus the 3.8% NIIT. The exception from the wage limitation for incomes under \$500,000 is irrelevant when talking about the effect of tax rates on MLP equity prices, since loss of investors in the higher income brackets will drive down unit prices for all. This results in MLPs and their individual owners being taxed at a higher rate than C-corps and their shareholders (and, after taking into account the non-deductibility of state income taxes, at a higher rate than under current law).

REITs and individual shareholders pay a combined rate on taxable income of 31.8% (because REIT shareholders are not subject to the wage limitation on the 17.4% deduction) plus the NIIT. This results in MLPs and their individual owners being taxed at a significantly higher rate than REITs and their individual owners.

House Bill

C-corps and individual shareholders pay a combined rate on taxable income of 36% plus NIIT.

MLPs and their individual owners (who are passive investors) pay a combined rate on taxable income of 25% plus 3.8% NIIT. Generally, active individual owners pay the reduced rate on 30% of their MLP income with the remaining 70% being taxed at their individual rate. As a result, MLP income, like all pass-through income, is taxed at a significantly lower rate than C-corp income under the House Bill. This differential is similar to the current law differential between pass-throughs and C-corps and keeps the policy commitment made in the Unified Framework, agreed to by the Big Six.

REITs and all individual shareholders pay a combined rate on taxable income of 25% plus 3.8% NIIT. This results in MLPs and REITs and their individual passive owners being treated similarly under the House Bill.

REITs & MLPs

Under current tax law, MLPs and REITs are attractive to individual owners as high dividend paying securities and thus “compete” to some extent for the investments by individuals. Under current law, MLPs, however are more complex to individual owners because of the K-1 partnership tax form and multi-state taxable income passed through to an owner. REIT owners receive a simple 1099 form with no pass through of state taxable income. The Senate Bill increases this competitive advantage that REITs already enjoy by the tax rate disparity (as discussed above).

Moreover, REITs are more attractive to tax exempt (dividends are tax free) and foreign investors (lower US tax rate and withholding on dividends) than MLPs (tax exempts are taxed at regular ordinary income rates; foreigners are taxed at ordinary rates and withheld upon at highest ordinary income rates). Thus, the Senate Bill reduces the relative attractiveness of an MLP (which already has a smaller investor base than REITs) as an investment to individual owners as compared to REITs.

¹ NTD: The effective NIIT rate varies under the tax proposals, since NIIT does not apply to amounts used to pay taxes at the corporate level (since they are never distributed to an individual).

From: Tom Davis [Ex. 6]
Sent: 11/9/2017 2:53:27 PM
To: Paul Narog [pfnarog@mmm.com]; Arthur J. Gibson [arthur_gibson@baxter.com]; David Jan Van Hoogstraten [david.vanhoog@bp.com]; Mark Caine [mark.caine@bms.com]; Chandace/WDC Richardson Arledge [chandace.richardsonarledge@ch2m.com]; Tabitha/HOU Laser [tabitha.laser@ch2m.com]; Rose Greg (FCA) [greg.rose@chrysler.com]; Jacqueline Fidler [jacquiefidler@consolenergy.com]; Annabeth Reitter [annabeth.reitter@domtar.com]; Audrey Stewart [ams399@georgetown.edu]; Michael G. Anderson [michael.g.anderson@lmco.com]; Doug Pontsler [doug.pontsler@owenscorning.com]; Danyelle Phelps [danyelle.phelps@owenscorning.com]; Paul S. Lewandowski [paul.s.lewandowski@owenscorning.com]; Jim Thomas [Ex. 6]; Michael J. Fisher [michael.fisher@shire.com]; Janaina Gameiro Arbucias [janaina.gameiro@siemens.com]; Daniel Hutter [daniel.hutter@spectrumbrands.com]; Rich Dailey [rich.dailey@walmart.com]; Ali Alavi [aalavi@azr.com]; Frank Friedman [Ex. 6]; Thom/DCA Robison [thom.robison@ch2m.com]; Ken Strassner [Ex. 6]; Claude Fontheim [cgbf@fontheim.com]; Alexandra Dunn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userfa6cd8fb]; Ernie Rosenberg [contact@ernierosenberg.com]; Adam Levine [alevine@toledomuseum.org]; Sara Osterman [sara_osterman@mascohq.com]; Dianne L. - Headquarters Shoaf [dianne.l.shoaf@usps.gov]; Joseph Cascio [cascio@email.gwu.edu]; Rachael Jonassen [rachaelj@gwu.edu]; Andrew R. Stewart [astewart@sidley.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Scott Fulton [fulton@eli.org]; Greg Hollod [ghollod@muellerwp.com] [Ex. 6]
Subject: Fw: IMPORTANT: Guest Access Code for Your Upcoming event at the National Press Club

The Press Club has installed a security system so please read the attached. Please see the attached. Best to download the symbol to your cell but printing it is also OK. If you have a problem call em...my cell is [Ex. 6]

Tom Davis

Tom Davis Associates
1099 22nd Street NW
Suite 804
Washington, DC 20037

Ex. 6 Office
Cell

Email [Ex. 6]

Follow me on [Twitter](#)

Connect with me on [LinkedIn](#)

----- Forwarded Message -----

From: Cara Lanza <clanza@press.org>

To: Tom Davis Ex. 6

Sent: Tuesday, November 7, 2017, 10:57:48 AM EST

Subject: IMPORTANT: Guest Access Code for Your Upcoming event at the National Press Club

This is good for both days Tom

We look forward to your upcoming event at the National Press Club!

The National Press Club is a secure facility. All visitors must have a valid access code to pass through the security gates on the 13th Floor. This email contains your Group Access Code that will enable your guests and staff to enter the Press Club to attend your event. **You will need to send this access code to ALL registrants, guest and staff who will be on-site for your event.** To help you with this, I have provided a sample email template/example below which you can use to send this to your attendees/staff.

PLEASE ENCOURAGE YOUR GUESTS TO PRESENT THE CODE ON THEIR MOBILE DEVICE (not printed).

Should you have any questions please feel free to contact me. Thanks and we look forward to seeing you for your event!

-----SAMPLE EMAIL TO BE USED TO SEND ACCESS CODE TO YOUR ATTENDEES/STAFF -----

To: **XYZ Event Attendees**

Re: Access to Venue for **XYZ Event**

We look forward to seeing you at our upcoming event at The National Press Club!

The National Press Club is a secure facility all attendees/staff must have a valid QR code to pass through security gates at the entrance of the Club to attend the event.

ALL GUESTS MUST HAVE A VALID CODE TO ENTER THE FACILITY. Simply present the Access Code below on your mobile device at the turnstiles located on the 13th floor of the Press Club to enter.

Ex. 6

Visitor,

Cara Lanza of Members-National Press Club (NA) has pre-registered you in our visitor management system for your upcoming meeting.

For your convenience, the details of your meeting are shown below:

Invitee:	corp enviro (clanza@press.org)
Location:	529 14th Street, N.W., Washington, DC
Floor:	13th Floor
Date/Time of Visit:	11/14/2017 12:01 AM to 11/15/2017 11:59 PM
QR Code:	Please present the QR code at the top of this message when you arrive at the building.
Company Instructions:	Present this email on your mobile device, at the turnstiles located on the 13th floor. QR code is required for entry.
Special Instructions:	corp enviro



This email was sent from a notification-only address that cannot accept incoming email. Please do not reply to this message. If you have any questions, contact your host at clanza@press.org.

Message

From: Brydon Ross [BRoss@hbwresources.com]
Sent: 9/27/2017 12:44:39 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Great to meet you!

Kenneth,

This is Brydon Ross with Consumer Energy Alliance (CEA). Just wanted to drop you a quick line to say how much I enjoyed the chance to briefly visit with you at SSEB and get you my updated contact info below.

By way of background, CEA was created in 2006 to bring consumers, manufacturers and producers together to promote energy security, affordable and reliable supplies, and economic growth. Nationally we have over 275 + member organizations ranging from academia, conservation organizations, chambers of commerce, and manufacturers as well as over 450,000 individual grassroots members across the country that care about energy supply and prices.

When your calendar permits I wanted to see if you may have time for a quick call? CEA is very active in the states on energy/environment policy issues and we also have a DC office. We'd certainly like to find ways to work with you and partner together.

Thanks very much for your time and consideration.

Best,
Brydon

Brydon Ross
VP of State Affairs
CEA
9900 Corporate Campus Drive, Suite 3000
Louisville, KY 40024

Ex. 6 cell
direct

Message

From: Sullivan, Daniel [dsullivan@grda.com]
Sent: 9/20/2017 9:15:22 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: john@lppc.org
Subject: Re: CCR Deadlines

Perfect. Thank you Ken.

Daniel S. Sullivan
Chief Executive Officer
Grand River Dam Authority
P.O. Box 409
Vinita, OK. 74301-0409

Ex. 6

On Sep 20, 2017, at 4:02 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

This is an EXTERNAL EMAIL. Stop and think before clicking a link or opening attachments.

I remember John and would love to visit with him. He can call my cell anytime

We are working on getting to your exciting opening and should know quickly

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Sep 20, 2017, at 2:22 PM, Sullivan, Daniel <dsullivan@grda.com> wrote:

Ken,

I wanted to reintroduce you to John Di Stasio from the Large Public Power Council (LPPC). You met John in DC when we met at the hotel before going to the Mount Vernon event this spring. John is the President of LPPC and works in DC for the benefit of our members and is copied on this email.

We have some concerns about the CCR changes and the fact that the implementation period may come before a revised rule is out. Would you be willing to visit with John about our issue or direct him to another person that would like some good industry input? Since we have utilities from all over the US in our organization, we represent a wide variety of geographic and political interests.

I hope it works out that you can come to our event on October 27th. That would be a perfect backdrop for the initiatives that you and Scott are working on. Thank you for your help in connecting with John (who will likely be at our event in October as well).

Dan

Daniel S. Sullivan
President/Chief Executive Officer
Grand River Dam Authority
P.O. Box 409
Vinita, OK 74301

Ex. 6

Message

From: John Di Stasio [John@lppc.org]
Sent: 9/20/2017 9:53:20 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Sullivan, Daniel [dsullivan@grda.com]
Subject: Re: CCR Deadlines

Ok. Thank you

John Di Stasio
President, Large Public Power Council
1050 Thomas Jefferson St, 5th Floor
Washington, DC 20007

Ex. 6 office
cell

john@lppc.org
www.LPPC.org

On Sep 20, 2017, at 5:50 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Afternoon is better

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional and State Affairs*
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Sep 20, 2017, at 4:33 PM, John Di Stasio <John@lppc.org> wrote:

Thanks for the intro Dan.

Ken - I will give you a call on your cell tomorrow. Look forward to catching up. Thanks for accommodating the request. I'll be efficient with your time, I promise.

Thanks

John

John Di Stasio
President, Large Public Power Council
1050 Thomas Jefferson St, 5th Floor
Washington, DC 20007

Ex. 6 office
cell

john@lppc.org

On Sep 20, 2017, at 5:02 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

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We are working on getting to your exciting opening and should know quickly

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

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Dan

Daniel S. Sullivan
President/Chief Executive Officer
Grand River Dam Authority
P.O. Box 409

Vinita, OK 74301

Ex. 6

Message

From: Tom Williams [twilliams@rpsea.org]
Sent: 9/11/2017 8:05:24 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Jack Belcher (jbelcher@hbwresources.com) [jbelcher@hbwresources.com]
Subject: this week
Attachments: RPSEA Methane Study Press Release. 8-21-17.docx

Ken;

I am the President of RPSEA and chair one of the IOGCC committees and we met at the last IOGCC meeting.

Living in Houston has been pretty tough since Harvey, it is a mess. We were very lucky and had no damage at our home or office.

I need to be in DC this week for some meetings before the end of the fiscal year. We office and work together with a relations firm HBW resources, you may have run across them in DC. One of the reasons I will be in town is we are kicking off a methane study – focus on marginal wells. (press release attached). Industry has finally decided it may be best to spend on good data vs lawyers. IPAA and USOGA are helping convince members to help fund the study.

A big need, lots of work and little money. Jack Belcher at HBW has arranged a meeting with Mandy Gunasekara at 4 this Wednesday to discuss the study. (she is EPA policy advisor for air). I wanted you to know and welcome or if you have any time after. Also if you have any ideas or questions about this study, please let me know.

You may recall I discussed my meeting with the technical staff at EPA North Carolina in February to get agreement on our testing procedures and the data they used for the NSPS OOOOa rule.

Hope all is well with you,

The Administrator has made a lot of friends in Houston for being fair and honest.

Tom Williams
President, RPSEA

Ex. 6



RPSEA to Initiate Study to Determine Emissions Profile of Marginal Wells

New Data Needed to Replace Modeled Data Used by EPA in Developing Methane Rule

HOUSTON, TX – August 21, 2017 – The [Research Partnership to Secure Energy for America \(RPSEA\)](#) is initiating a joint industry project with U.S. oil and gas industry partners to conduct and manage a real-world survey that will determine the precise levels of methane emitting from marginal wells in the U.S.

[RPSEA](#) officials say the survey is needed to demonstrate whether the contribution of methane emissions from marginal oil and gas wells are much lower than what the Environmental Protection Agency (EPA) determined and used when it updated its New Source Performance Standards (NSPS) under former President Barack Obama.

As part of that rule, the EPA did not provide an expected exemption of marginal wells from Leak Detection and Repair (LDAR) requirements, [RPSEA says](#), consequently adding a significant economic burden to oil and gas producers, particularly those which are independent or smaller.

The need to complete this research, [RPSEA says](#), was brought to light after the U.S. Court of Appeals for the D.C. Circuit this month ordered the EPA to lift a stay on the rule, reversing a Trump administration order to delay its implementation.

“The data that EPA used to develop this rule were assumptions, with limited accurate and defensible data from marginal wells to base this ruling,” said RPSEA President Tom Williams. “It is absolutely imperative that we provide EPA with data that shows the accurate methane emissions contributions made by marginal wells.”

The Independent Petroleum Association of America (IPAA) and U.S. Oil and Gas Association (USOGA) support the proposed study and RPSEA will be working with their members, plus state and regional associations and member companies of both organizations, to conduct it. Work will commence when adequate funding is secured. Parties interested in participating or learning more should visit the [RPSEA website](#) or contact Business Development Program Director Jack Belcher at the number below.

RPSEA has previously funded several projects on air emissions and is teaming up Houston Advanced Research Center (HARC), GSI Environmental Inc. and advisory teams from academia, industry and state and federal governments to perform this research and other RPSEA members to assure there will be broad local presence and expertise in the various regions of the study.

Marginal oil wells are those with an average production of no more than 15 barrels per day, those producing heavy oil or those wells producing not less than 95 percent water, with average production of not more than 25 barrels per day of oil. Marginal gas wells are those producing not more than 90 Mcf a day. There are more than 1.1 million oil and natural gas wells in the U.S., accounting for up to 20 percent of the U.S. oil production and about 13 percent of the U.S. natural gas production.

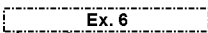


About RPSEA

Founded in 2002, RPSEA is a unique 501(c)(3) non-profit, national consortium that provides focused research and development to deploy safe and environmentally sensitive technology that can deliver hydrocarbons from domestic resources to the citizens of the United States. Its membership consists of nine of the nation's premier research universities, five national laboratories, other major research institutions, large and small energy producers, and energy consumers.

Contact:

Jack Belcher



Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/4/2017 1:32:43 AM
To: Williams, Dell [Dell@cbsnews.com]; West, Caroline [WestC@cbsnews.com]
CC: Grantham, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12a3c2ed7158417fb0bb1b1b72a8cfb0-Grantham, Nancy]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Gray, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=881c62b1e54142388c1de2f8e3799c33-Gray, David]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Feitel, Roxanne [FeitelR@cbsnews.com]; Villafranca, Omar [omar.villafranca@cbs.com]; Banerji, Suvro [BanerjiS@cbsnews.com]; Larson, Darrin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af2d4b28b0b842b2baf3df180786b67e-Larson, Darrin]; Coleman, Sam [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8246a5315ff54185ac8c8bf90d5a393e-Coleman, Sam]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: CBS National News Urgent Request

sorry for the delay, details are below:

Darrin Larson will meet you on the ground, his number is: 972-467-5509. Darrin is the press officer, Sam Coleman will be the spokesperson (on the record). John Meyer is the subject matter expert.

Please meet at Noon local time at 400 North Richey, Pasadena, Texas. EPA will visit three superfund sites, including the San Jacinto Waste Pits site. They are all fairly near each other, but please plan for 2 hours of time total. The plan will be to meet at the designated spot at the designated time – observe and discuss the site conditions and then follow one another to the next location, repeat. Everyone must provide their own transportation. Please note that media will not be able to access active portions of the sites, and must follow all health and safety requirements and instructions of the remedial managers.

For background on EPA efforts on Superfunds and the hurricane please visit:

Status of Superfund Sites in Harvey Region: <https://www.epa.gov/newsreleases/status-superfund-sites-areas-affected-harvey>

Preparations made pre storm: <https://www.epa.gov/newsreleases/epa-ready-support-fema-state-efforts-hurricane-harvey>

Fuel Waiver: <https://www.epa.gov/newsreleases/epa-approves-emergency-fuel-waivers-38-states-and-washington-dc>

Superfund Task Force: <https://www.epa.gov/newsreleases/epa-announces-superfund-task-force-recommendations>

If you have questions, please call Darrin or me, at Ex. 6 Thank you -- Liz Bowman

From: Williams, Dell [mailto:Dell@cbsnews.com]
Sent: Sunday, September 3, 2017 9:08 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; West, Caroline <WestC@cbsnews.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Feitel, Roxanne <FeitelR@cbsnews.com>; Villafranca, Omar <omar.villafranca@cbs.com>; Banerji, Suvro <BanerjiS@cbsnews.com>
Subject: Re: CBS National News Urgent Request

Hi Liz,
Good evening.
Thanks for the opportunity.

We will send CBS News correspondent Omar Villafranca and camera operator Suvro Banerji.
Here are their numbers should you need to reach out to them:
Omar Villafranca - 682-218-8847
Suvro Banerji - 814-574-9795

Thanks in advance.

Dell Alänn
CBS News - National Desk
Producer in HOUSTON

Ex. 6

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Sunday, September 3, 2017 5:57 PM
To: West, Caroline
Cc: Grantham, Nancy; Graham, Amy; Wilcox, Jahan; Gray, David; Ferguson, Lincoln; Feitel, Roxanne; Williams, Dell
Subject: RE: CBS National News Urgent Request

Thanks, Caroline. We will send the itinerary when we get a list of who all will be attending and what show the footage will be used for. We are still finalizing the details, but will send them when they are final.

From: West, Caroline [mailto:WestC@cbsnews.com]
Sent: Sunday, September 3, 2017 8:52 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Feitel, Roxanne <FeitelR@cbsnews.com>; Williams, Dell <Dell@cbsnews.com>
Subject: RE: CBS National News Urgent Request

Liz,

Thank you again for getting all of this set up. Our crew is looking forward to tagging along tomorrow. I'm not 100% positive yet who we will be sending. I will keep you posted. When you get the itinerary, please send it to myself along with my colleagues Roxanne Feitel & Dell Williams (CC'd).

Thanks!

Caroline

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Sunday, September 03, 2017 6:29 PM
To: West, Caroline <WestC@cbsnews.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

Hi Caroline – We can let a reporter and a photographer tag along tomorrow, but it has to be a small contingency. Can you give me a call to discuss details? Ex. 6

From: West, Caroline [mailto:WestC@cbsnews.com]
Sent: Sunday, September 3, 2017 5:58 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

Not a problem! I appreciate all your help with this. Just wanted to check back in.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Sunday, September 03, 2017 5:56 PM
To: West, Caroline <WestC@cbsnews.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

Hi Caroline – We are expecting a plan to accommodate media requests from our regional folks soon. Sorry for the delay, we are working on it.

From: West, Caroline [mailto:WestC@cbsnews.com]
Sent: Sunday, September 3, 2017 5:50 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

Let me know if there are any updates with this request.

Thanks!
Caroline

From: West, Caroline
Sent: Sunday, September 03, 2017 3:28 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

We have crews in Houston that would be able to meet up with your staff this afternoon/evening. If Houston doesn't work out we also have staff in DC who would be able to conduct the interview. Whatever is easiest for you all.

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Sunday, September 03, 2017 2:48 PM
To: West, Caroline <WestC@cbsnews.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

In DC or in Texas? Our staff is en route toward Houston so it may be hard to get someone on air today. What time frame are you looking at? And, where?

From: West, Caroline [<mailto:WestC@cbsnews.com>]
Sent: Sunday, September 3, 2017 2:43 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: CBS National News Urgent Request

Thank you Liz.

Will anyone be available to talk with us on-camera today? We are preparing a report to air tomorrow morning on CBS This Morning.
Thanks,

Caroline

On Sep 3, 2017, at 2:31 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Caroline – Off the record: As you can imagine, we have had a barrage of requests to visit Superfund sites. We are doing our best to figure out logistics and will get back with you shortly. Thank you – Liz

From: West, Caroline [<mailto:WestC@cbsnews.com>]
Sent: Sunday, September 3, 2017 2:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: CBS National News Urgent Request

Hi again,

Just wanted to check in on this request.

Thanks!

Caroline

From: West, Caroline
Sent: Saturday, September 02, 2017 5:36 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: CBS National News Urgent Request

Liz,

Thank you for sending this my way. *CBS This Morning* remains interested in talking with someone from the EPA on-camera for our report. Is there anyone who is available to talk with us?

Also, you mentioned the San Jacinto Waste Pits site will be inspected soon. Would we be able to tag along with a team to see the process?

I appreciate all your help!

Caroline

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Saturday, September 02, 2017 5:13 PM

To: West, Caroline <WestC@cbsnews.com>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: FW: CBS National News Urgent Request

Hi Caroline – I want to make sure you have the FACTUAL, CORRECT information on what EPA and other officials are doing to respond to the effects of the hurricane on Superfund sites. The AP's story is misleading and inaccurate. Please see below. Thank you – Liz Bowman, EPA

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – *Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:*

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by

response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit:
<https://www.tceq.texas.gov/response/hurricanes>

From: West, Caroline [<mailto:WestC@cbsnews.com>]
Sent: Saturday, September 02, 2017 2:32 PM
To: Gray, David <gray.david@epa.gov>
Cc: Press <Press@epa.gov>
Subject: CBS National News Urgent Request

Good afternoon,

My name is Caroline West and I'm a producer for ***CBS This Morning*** with Gayle King, Charlie Rose and Norah O'Donnell. We are preparing a report regarding the toxic waste sites flooded in Highlands, TX and other areas. Is there anyone available for an **on-camera interview either tomorrow afternoon or on Monday** to discuss this with us?

We are interested in learning when EPA experts will be able to inspect Houston-area sites and what is currently being done. I saw that EPA staff had checked on two other sites in Corpus Christi, just wanted to confirm this with you. If there's any additional information you can provide please send it my way. Also, let me know as soon as possible about an on-camera interview.

My number is Ex. 6

Thank you,

Caroline West

<[image001.jpg](#)> | Caroline West | westc@cbsnews.com | Producer | CBS This Morning |

Ex. 6

Ex. 6

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 8/10/2017 12:38:06 AM
To: Ludwiszewski, Raymond B. [RLudwiszewski@gibsondunn.com]
Subject: Re: Meeting request

Raymond, would love to visit. I am traveling but would love to set a call in anticipation of a meeting Friday is pretty open as I'm in Oklahoma on travel for a conference on Monday

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Aug 9, 2017, at 3:39 PM, Ludwiszewski, Raymond B. <RLudwiszewski@gibsondunn.com> wrote:

Mr. Wagner --

I'm writing to set up a meeting to discuss with you an issue concerning Region V.

I'm a friend of David Fotouhi, a political deputy in the General Counsel's office. After I discussed the issue with him, he suggested that I reach out to you.

As a prior political appointee in the Reagan and the Bush Administrations, I appreciate how busy you are (especially with the political leadership not yet fully in place). If scheduling is a challenge, I would be happy to discuss the matter initially with a substantive special assistant or your deputy.

Thx for your attention.

RAY

Raymond B. Ludwiszewski

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306
Tel **Ex. 6** • Fax +1 202.530.9562
RLudwiszewski@gibsondunn.com • www.gibsondunn.com

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Message

From: Wagner, Kenneth [wagner.kenneth@epa.gov]
Sent: 8/8/2017 12:52:04 AM
To: apiper@republicanags.com
Subject: Meeting in SC

Adam:

Sorry for the delay in saying that it was great to meet you. I know you and several members of our team are friends, but please let me know if I can ever assist.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
US Environmental Protection Agency
Office: 202-564-1988
Cell: Ex. 6
wagner.kenneth@epa.gov

Message

From: Wagner, Kenneth [wagner.kenneth@epa.gov]
Sent: 7/24/2017 10:01:06 PM
To: jimmie.hammontree@williams.com; will.ratcliffe@williams.com
Subject: ECOS

Will and Jimmie:

Great to meet with you guys at ECOS. I spoke with Lane and let him know that Williams' was well-represented. Hope to see you guys again.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
US Environmental Protection Agency
Office: 202-564-1988
Cell: Ex. 6
wagner.kenneth@epa.gov

Message

From: Wagner, Kenneth [wagner.kenneth@epa.gov]
Sent: 6/9/2017 3:30:18 PM
To: bruce.heine@magellanlp.com; Tom.byers@magellanlp.com
Subject: Meeting

Bruce: I got to meet your colleague Tom Byers in DC yesterday. He puts on a great image and is a good ambassador for Magellan.

Hope you guys are well!

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell: **Ex. 6**
wagner.kenneth@epa.gov

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/28/2017 3:44:38 PM
To: Jump, Tiffany [tjump@aeci.org]
Subject: Re: Monday

Yes, although I have had several meetings with Regional staff in anticipation of the meeting.

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell: Ex. 6
wagner.kenneth@epa.gov

On Apr 28, 2017, at 11:40 AM, Jump, Tiffany <tjump@aeci.org> wrote:

No problem. I think since I sent it as a confidential meeting request, there was some wackiness in how the responses were received and recorded.

So you are aware, the current AECL participants will be:

David Tudor, CEO and general manager
Ken Wilmot, VP, Power Production division
Brent Ross, Mgr., Environmental, Health & Safety (dept. under Ken Wilmot's purview)

Will you be coming solo?

Thanks,

Tiffany Jump, CAP
executive assistant

Ex. 6

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Friday, April 28, 2017 10:36 AM
To: Jump, Tiffany <tjump@aeci.org>
Subject: Re: Monday

Tiffany:

I sent the response (I believe). Nevertheless, I will be attending and looking forward to the visit on Monday in KC. Thanks in advance.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator

For Regional & State Affairs

US Environmental Protection Agency

Office: 202-564-1988

Cell: **Ex. 6**

wagner.kenneth@epa.gov

On Apr 28, 2017, at 11:31 AM, Jump, Tiffany <tjump@aeci.org> wrote:

Ken,

I just wanted to make sure you received the details for Monday's meeting with AECI; I haven't received a response from you on the calendar invitation.


Thank you!

Tiffany Jump, CAP
executive assistant

ASSOCIATED ELECTRIC COOPERATIVE, INC.

P.O. Box 754 | Springfield MO 65801-0754

Ex. 6 direct) | **Ex. 6** (cell)

tjump@aeci.org | 

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/24/2017 7:14:08 PM
To: Rich Haut [rhaut@harcresearch.org]
CC: Tom Williams [twilliams@leidllc.com]; Jack Belcher (jbelcher@hbwresources.com) [jbelcher@hbwresources.com]
Subject: RE: Follow-up

Rich:

I would welcome such a meeting. Let me know and we will schedule something.

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional and State Affairs*
Environmental Protection Agency
202-564-1988 office
Ex. 6 ell
wagner.kenneth@epa.gov

From: Rich Haut [mailto:rhaut@harcresearch.org]
Sent: Monday, April 24, 2017 2:40 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Tom Williams <twilliams@leidllc.com>; Jack Belcher (jbelcher@hbwresources.com) <jbelcher@hbwresources.com>
Subject: Follow-up

Ken,

Great to meet you at Earth Day in Dallas.

As mentioned, I get to Washington, DC quite often and will probably be making plans soon to be there in the May/June time period. As those plans develop, I will be back in touch to set a meeting with you to discuss the progress we have made in our DoE funded efforts.

I have also copied two of my business associates, Tom Williams and Jack Belcher, who are involved in the Research Partnership to Secure Energy for America (RPSEA) – I am a board member. When we get to DC we will include the great work RPSEA has done as a public-private partnership.

Thanks!
Rich



Rich Haut, PhD
Managing Director, Environmentally Friendly Drilling Systems (EFD) Program

Program Director, Energy Production, HARC
rhaut@HARCResearch.org

Ex. 6 {office – direct)
{cell}

Houston Advanced Research Center (HARC)
8801 Gosling Road
The Woodlands, TX 77381
281-364-6000 (main number)

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 3/31/2017 6:03:01 PM
To: Blair Larkins [BLarkins@bockornygroup.com]
Subject: RE: Thank-You

Blair:

Nice to visit with you as well. I believe the other staffers were Byron Brown, Deputy Chief of Staff for Policy and Brittany Bolen who is the number two in the Office of Policy.

Hope that helps.

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional and State Affairs*
Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

From: Blair Larkins [mailto:BLarkins@bockornygroup.com]
Sent: Friday, March 31, 2017 11:16 AM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: Thank-You

Kenneth-

Thank you very much for taking time out of your busy schedule to meet Jeff Broin and the POET team. It was great meeting you and Administrator Pruitt. I know Rob and Kyle will be following up, but if you don't mind me asking...who were the other two staffers in the room? I didn't catch their names.

Thanks again and have a wonderful weekend!

Blair

Blair Larkins
BOCKORNY GROUP
202.659.9111
www.bockornygroup.com

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/4/2018 6:03:08 PM
To: Tudor, David [dtudor@aeci.org]
Subject: Re: M7M Press Release

Great stuff...Congratulations!

Kenneth Wagner
Senior Advisor to the Administrator
Regional & State Affairs
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington DC 20001

(202)564-1988, office
Ex. 6 cell
wagner.kenneth@epa.gov

On Apr 4, 2018, at 7:38 AM, Tudor, David <dtudor@aeci.org> wrote:

Ken – attached is the press release on our wind project and below is a link to our press release on the smelter contract in southern Missouri.
DT

From: Jump, Tiffany
Sent: Wednesday, April 04, 2018 9:24 AM
To: Tudor, David <dtudor@aeci.org>
Subject: M7M Press Release

[AECI public website](#)

The same release was posted in the Missouri Times, too.

Tiffany Jump, CAP, TA
executive assistant

ASSOCIATED ELECTRIC COOPERATIVE, INC.
P.O. Box 754 | Springfield MO 65801-0754
Ex. 6 (direct) | Ex. 6 (cell)
tjump@aeci.org | <[image001.jpg](#)>

<Associated Tenaska Clear Creek wind project release Feb 12 2018.pdf>

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/24/2018 5:38:42 PM
To: Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
CC: Bowman, Liz [Liz_Bowman@americanchemistry.com]; Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]
Subject: Re: Ken Wagner and Albert Kelly

What are you suggesting?

Kenneth Wagner
Senior Advisor to the Administrator
Regional & State Affairs
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington DC 20001

(202)564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Apr 24, 2018, at 12:35 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

I would keep this very short. Sara is a very dishonest reporter.

From: Ganim, Sara [<mailto:Sara.Ganim@turner.com>]
Sent: Tuesday, April 24, 2018 1:31 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Ken Wagner and Albert Kelly

Hi Jahan -- We are working on a story for today on the previous relationships that Scott Pruitt had with Albert Kelly and Ken Wagner.

We plan to report the following:

Albert Kelly, banned from banking by the FDIC in 2016, was the person who qualified Scott Pruitt for a \$2 million loan to buy a share of a baseball team when he was making just \$38,000 per year. He also financed several of Pruitt's homes. Pruitt then hired him to reform the EPA's superfund sites.

Ken Wagner, one of Pruitt's law school friends, hired Pruitt to work at his law firm, and in turn, Pruitt sent more than \$600,000 in contracts to the firm while he was OK Attorney General, years later.

Wagner also knew Kelly, since he also had a share in the team, financed by Spirit Bank, and from representing the bank on development projects.

In fact, the Wagner law firm is located in the Spirit Bank event center, two doors down from the Spirit Bank mortgage office.

In addition, we are reporting on increased questions from Republicans on the Hill. Are you concerned?

--

Sara Ganim
CNN Washington

Ex. 6

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 12/22/2017 4:15:27 PM
To: Ed Russo [edru@us.water-gen.com]
Subject: Re: Stewardship Roundtable

Ed:

Thanks for the email. On Thursday I was able to give administrator Pruitt the signed copy of your book and he got quite a kick out of it.

Let's definitely get together in the new year.

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Dec 22, 2017, at 10:14 AM, Ed Russo <edru@us.water-gen.com> wrote:

Ken,

Just gave a long interview to the Hill supporting Administrator Pruitt's accomplishments and vision regarding his work this year at the EPA.

Let's get together in DC or Key West soon.

All the best.

Ed

Sent from my iPad

Begin forwarded message:

From: Ed Russo <edru@us.water-gen.com>
Date: December 15, 2017 at 4:25:08 PM EST
To: wagner.kenneth@epa.gov
Subject: Stewardship Roundtable

Ken,

It was great meeting you at the “Roundtable” on Wednesday morning. I guess you can tell I’m very passionate but confident regarding my support of Administrator Pruitt and the President regarding “Climate Change” and other related issues.

Let’s discuss further and speak with a clear voice to redirect the focus of concerned people to address real environmental issues and promote the use of private capital to create high skilled and high paying jobs, bring abandoned “Brownfields” back onto the tax rolls, and stop the “hoax” and “distraction” from what was once known as “global warming.”

I’m ready to help in any way.

Let’s Make America **Green** Again.

Ed Russo

Ex. 6

Sent from my iPad