

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 8/31/2017 1:31:07 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Walmart Visit

Ken

Sorry to be so late getting back to you after the meeting we had at ECOS. We are still very interested in visiting with you and Administrator Pruitt about our issues around RCRA as applied to retail. I think we will keep this very small – in addition to me, we propose the following attendees:

- Angie Cooper – Walmart Government Affairs (she has known Mr. Pruitt for many years)
- Rick Leahy – Walmart VP EHS Compliance
- Nicole Wilkinson – CVS Director EHS Compliance
- A CVS Government Affairs person TBD

If you are still interested in pulling this together, we will work to your schedule. Hope all is well in DC,
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: Ex. 6 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 7/6/2018 2:03:19 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Personal contact info

That's actually what I was hoping -- excellent news! I'm sure we'll be talking soon on our stormwater project.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone [Ex. 6] 4 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Friday, July 06, 2018 8:21 AM
To: Rich Dailey
Subject: EXT: Re: Personal contact info

Rich: thanks...I have been asked to stay and continue in my role. So I look forward to working together more!

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 Jul 6, 2018, at 7:29 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

I don't know if you've already left the agency, or will be leaving soon, but I want you to have my personal contact info. I've enjoyed our interaction and conversations, and really like the work you are doing on cooperative federalism. Let's keep in touch, and let me know when you're in the Bentonville area.

- Cell: [Ex. 6]
- Email: [Ex. 6]

Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone Fax 479-204-9675

rich.dailey@wal-mart.com

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Bentonville, AR 72716-0505

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Message

From: rjohnson@alcoalcoop.com [rjohnson@alcoalcoop.com]
Sent: 7/24/2017 8:36:07 PM
To: Tony Reed [TAREED@southernco.com]; Twinkle Cavanaugh [Ex. 6]; Tammy Songer [Ex. 6]; Alan Wood [awood@citizensbanktrust.com]; Freddy Hunt [freddyh@msrequipment.com]; Steve Fant [Ex. 6]; Jennifer Smith [jjs@dlhcpa.com]; John Riley [riley@cullmansavingsbank.com]; Jim Heilbron [HEILBRON@southernco.com]; Jr. Padilla [ALPADILL@southernco.com]; Hoyt Price [Hoyt@alabamaprinting.com]; Chad Hewitt [CSHewitt@southernco.com]; Cynthia Johnson [cajohnson@rjrmining.com]; Chad Burks [Ex. 6]; George Barber [george@alcoal.com]; willinghampam [Ex. 6]; Brown D [JOANNABR@southernco.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nick Sellers [Ex. 6]; Zeke Smith [ZWSMITH@southernco.com]; gary hart [gary@cleanairmarkets.com]
Subject: [FWD: Bingo!!!]

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

Subject: Fwd: Bingo!!!
From: Randy Nelson <[Ex. 6]>
Date: Mon, July 24, 2017 8:52 am
To: Randy Johnson <rjohnson@alcoalcoop.com>, Skip Wilson <[Ex. 6]>, Tom M Clark <[Ex. 6]>

Sent from my iPhone

Begin forwarded message:

From: "Tracy, Mike" <MTracy@drummondco.com>
Date: July 24, 2017 at 8:49:33 AM CDT
To: Donald Mitchell <[Ex. 6]>, Randy Nelson <[Ex. 6]>, Michael Holt <Michael.Holt@HoltAV.com>
Subject: FW: Bingo!!!

Subject: Bingo!!!



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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 7/14/2017 11:38:10 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Monday meeting

Either works for me – I think whatever is more convenient for you.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, July 13, 2017 4:35 PM
To: Rich Dailey
Subject: EXT: Re: Monday meeting

11am or early afternoon...let me know what you think

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 Jul 13, 2017, at 4:34 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Thanks Ken

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, July 13, 2017 2:37 PM

To: Rich Dailey
Subject: EXT: Re: Monday meeting

Sure...I'm speaking as part of a round table in the morning. I just need to look at the agenda...let me get back to you this afternoon as I'm in a meeting

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 Jul 13, 2017, at 2:14 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Is below possible?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone Ex. 6 Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Rich Dailey
Sent: Thursday, July 13, 2017 6:31 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Monday meeting

Ken
Do you want to try to set a time to meet at ECOS on Monday – I'm looking forward to it.
Rich

Rich Dailey, Sr. Director
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rich.dailey@wal-mart.com

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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 7/13/2017 7:37:28 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Automatic reply: Monday meeting

I am out of the office until 7/18 with limited phone and email access. Please call Ryan Hicks [Ex. 6] Toni McCrory [Ex. 6] [Ex. 6], or Mark Goldsmith [Ex. 6] for urgent issues. You can also try my cell at [Ex. 6] as well.

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 7/17/2017 5:17:27 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: EXT: Re: Monday meeting

Ken
In the lobby area straight ahead of the main entrance.

Sent from my iPhone

On Jul 17, 2017, at 11:22 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Perfect

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 Jul 17, 2017, at 11:21 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Meet in lobby after lunch?

Sent from my iPhone

On Jul 16, 2017, at 4:24 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Sounds great!

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 Jul 16, 2017, at 3:23 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Looking at the agenda, how about right after lunch?

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone: [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth
[mailto:wagner.kenneth@epa.gov]
Sent: Thursday, July 13, 2017 4:35 PM
To: Rich Dailey
Subject: EXT: Re: Monday meeting

11am or early afternoon...let me know what you think

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On Jul 13, 2017, at 4:34 PM, Rich Dailey
<Rich.Dailey@walmart.com> wrote:

Thanks Ken

Rich Dailey, Sr. Director
**Environmental, Health and Safety
Compliance**
Phone: [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth
[mailto:wagner.kenneth@epa.gov]
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To: Rich Dailey
Subject: EXT: Re: Monday meeting

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table in the morning. I just need to look
at the agenda...let me get back to you
this afternoon as I'm in a meeting

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On Jul 13, 2017, at 2:14 PM, Rich Dailey
<Rich.Dailey@walmart.com> wrote:

Is below possible?

Rich Dailey, Sr.
Director
**Environmental, Health
and Safety
Compliance**
Phone: Ex. 6
Fax 479-204-9675
[rich.dailey@wal-
mart.com](mailto:rich.dailey@walmart.com)

Walmart ✨
Compliance
508 SW 8th Street
Bentonville, AR 72716-
0505
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Day!

From: Rich Dailey
Sent: Thursday, July
13, 2017 6:31 AM
To: Kenneth Wagner
([wagner.kenneth@epa.
gov](mailto:wagner.kenneth@epa.gov))
Subject: Monday
meeting

Ken
Do you want to try to
set a time to meet at
ECOS on Monday – I'm
looking forward to it.
Rich

Rich Dailey, Sr.
Director

**Environmental, Health
and Safety
Compliance**

Phone Ex. 6

Fax 479-204-9675

rich.dailey@walmart.com

Walmart ✱

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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 7/16/2017 8:25:50 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Monday meeting

Excellent! Looking forward to your roundtable tomorrow.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Sunday, July 16, 2017 3:24 PM
To: Rich Dailey
Subject: EXT: Re: Monday meeting

Sounds great!

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

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To: Rich Dailey
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U S Environmental Protection Agency
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Ex. 6 cell
wagner.kenneth@epa.gov

On Jul 13, 2017, at 2:14 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Is below possible?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: [] Ex. 6 [] Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Rich Dailey
Sent: Thursday, July 13, 2017 6:31 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Monday meeting

Ken
Do you want to try to set a time to meet at ECOS on Monday – I'm looking forward to it.
Rich

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Phone: [] Ex. 6 [] Fax 479-204-9675
rich.dailey@wal-mart.com

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Message

From: rjohnson@alcoalcoop.com [rjohnson@alcoalcoop.com]
Sent: 6/13/2017 2:56:29 PM
To: Britnee McGraw [bmcgraw@alcoalcoop.com]; Chris Arnold [carnold@alcoalcoop.com]; Steve Fant [Ex. 6]; Hoyt Price [Hoyt@alabamaprinting.com]; Ashley Price [ashley@alabamaprinting.com]; Julie Phillips [julie@tanous.com]; Quinlan Lehe [qvon@buettnerbros.com]; rocky [Ex. 6]; Virginia [Ex. 6]; Jennifer Smith [jjs@dlhpa.com]; Cynthia Johnson [cajohnson@rjrmining.com]; Mike Osburn [Mosburn@drummondco.com]; Heather Locklar [hlocklar@hughesscalise.com]; Michelle Acton [Ex. 6]; Clancy Johnson [Ex. 6]; John Riley [riley@cullmansavingsbank.com]; D C [Ex. 6]; George Barber [george@alcoal.com]; Wesley Britt [WTBRITT@SOUTHERNCO.COM]; Twinkle Cavanaugh [Ex. 6]; Jim Heilbron [HEILBRON@southernco.com]; Zeke Smith [ZWSMITH@southernco.com]; Chad Hewitt [CSHewitt@southernco.com]; Tony Reed [TAREED@southernco.com]; W. Roy [Ex. 6]; John McCain [john@johnmccain.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Christine Roberson [Ex. 6]; Clara Kent [kent@cullmansavingsbank.com]; Alan Wood [awood@citizensbanktrust.com]
Subject: [FWD: The Hospital Visit]

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

Subject: Fwd: The Hospital Visit
From: Cynthia Johnson <[Ex. 6]>
Date: Mon, June 12, 2017 7:24 pm
To: David Nelson <[Ex. 6]>, rjohnson@alcoalcoop.com

----- Forwarded message -----

From: Lana <[Ex. 6]>
Date: Fri, Jun 9, 2017 at 5:00 PM
Subject: Fwd: The Hospital Visit
To: Cynthia Johnson <[Ex. 6]>, robin peacock <[Ex. 6]>

Enjoy!

Sent from my iPhone

Begin forwarded message:

From: G W <[Ex. 6]>
Date: June 9, 2017 at 3:17:24 PM CDT
To: undisclosed-recipients;;
Subject: Fwd: The Hospital Visit

The Hospital Visit

**Finally, the doctor came in
looking tired and somber.**

"I'm afraid I'm the bearer of bad news," he said as he surveyed the worried faces.

"The only hope left for your loved one at this time is a brain transplant.

It's an experimental procedure, very risky, but it is the only hope.

Insurance will cover the procedure, but you will have to pay for the BRAIN.

The family members sat silent as they absorbed the news. After a time, someone asked, "How much will a brain cost?"

The doctor quickly responded, "\$5,000 for a Democrat's brain; \$200 for a Republican's brain."

The moment turned awkward. Some of the Democrats actually had to try not to smile, avoiding eye contact with the Republicans.

A man unable to control his curiosity, finally blurted out the question everyone wanted to ask, "Why is the Democrat's brain so much more than a Republican's brain?"

The doctor smiled at the childish innocence and explained to the entire group,

"It's just standard pricing procedure. We have to price the Republicans' brains a lot lower because they're used !"

SEND THIS TO A Republican WHO NEEDS A LAUGH, AND TO ANY Democrat WHOM YOU THINK CAN HANDLE A JOKE.....or a Conservative and Liberal ! 😊

"Any man who thinks he can be happy and prosperous by letting the Government take care of him better take a closer look at the American Indian."

Henry Ford

<image001.jpg>

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 6/13/2017 11:59:02 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: ECOS STEP Meeting

OK -- let's plan on that. See you at ECOS.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Tuesday, June 13, 2017 6:46 AM
To: Rich Dailey
Subject: EXT: Re: ECOS STEP Meeting

I am in that whole week, so I'm pretty flexible, but the afternoon of the 17th looks good

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

On Jun 12, 2017, at 4:23 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
We had mentioned getting together at the ECOS meeting July 17, or possibly the next day. Do you know which you will be able to do? I need to change my return flight from the 16th to either the 17th or 18th. Thanks, and I look forward to seeing you then.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone Fax 479-204-9675
rich.dailey@wal-mart.com

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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 4/21/2017 12:00:04 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Angie Cooper - Global Public Policy [Angie.Cooper@walmart.com]
Subject: RE: EPA/Walmart Discussion

Thanks Ken -- I'm here all day Monday. I'm copying Angie Cooper of our Public Policy team who has known Administrator Pruitt for a number of years.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, April 20, 2017 2:26 PM
To: Rich Dailey
Subject: EXT: Re: EPA/Walmart Discussion

Rich:

I would love to get together with you and your team. Let me talk to the Administrator to see his preference. We are in Missouri today on our way to Dallas for Earth Day. I will be back in the office on Monday and get back to you.

We are looking forward to meeting with you.

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

On Apr 20, 2017, at 7:47 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

We met briefly at ECOS and talked about getting together to get our perspective on EPA's approach to environmental regulation applied to retail. We could come to DC or perhaps meet with you when you're back this way. Also, would you rather we work this through our Corporate Affairs folks? Hope all is well,
Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone Ex. 6 Fax 479-204-9675

rich.dailey@wal-mart.com

Walmart * Compliance

508 SW 8th Street

Bentonville, AR 72716-0505

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Message

From: Rizzo, James [JRizzo@nahb.org]
Sent: 4/4/2017 9:48:01 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Ward, Thomas [TWard@nahb.org]; McDonough, Owen [OMcDonough@nahb.org]
Subject: EPA Region Info
Attachments: EPA Regional Office Challenges.pdf; EPA Region 7 Fast Facts.pdf; EPA Region 5 Fast Facts.pdf; EPA Region 6 Fast Facts.pdf; EPA Region 9 Fast Facts.pdf; NAHB Environmental Issues Talking Points.pdf

Hi Ken:

We thought this information might be useful for your review and upcoming travel. Please let us know what you think when convenient.

Best,

Jim



JAMES RIZZO EVP, Chief Legal Officer

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: Ex. 6 m: Ex. 6 e: JRizzo@nahb.org w: nahb.org

We Build Communities



April is New Homes Month – celebrate with your favorite home buyer!

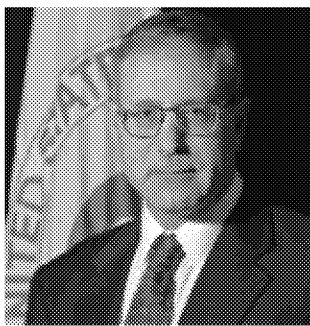
*Members saved \$20 million last year with Member Advantage!
Jump on those member discounts at nahb.org/ma.*

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EPA Region 5 – Great Lakes (Chicago, IL)



- Illinois
- Indiana
- Michigan
- Minnesota
- Ohio
- Wisconsin
- 35 Tribes



Region 5 Acting Administrator – Robert A. Kaplan

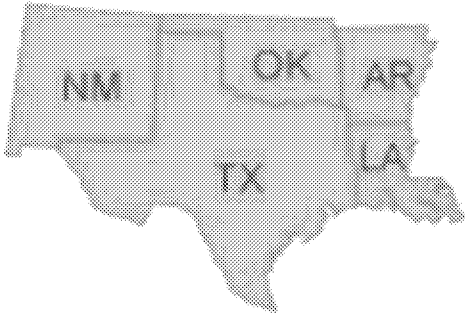
- Former Deputy Regional Administrator (Region 5)
- Former Regional Counsel, supervising a staff of 125 responsible for civil and criminal enforcement actions under all federal environmental statutes
- Advised the Regional Administrator on environmental law, government ethics, contracts, grants, employment / labor law, and tribal law.
- Previously directed the Special Litigation Division in EPA’s OECA in DC.
- Prior to joining EPA, he served as senior counsel for DOJ’s environmental enforcement section

Fast Facts

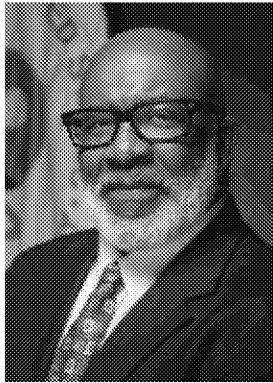
State	Enforcement Authorization			
	Clean Air Act (CAA)	Clean Water Act (CWA)	Resource Conservation and Recovery Act (RCRA)	Renovation, Repair, & Painting (RRP) Lead
Illinois	State	State	State	EPA
Indiana	State	State	State	EPA
Michigan	State	State	State	EPA
Minnesota	State	State	State	EPA
Ohio	State	State	State	EPA
Wisconsin	State	State	State	State

- In FY16, there were a total of 232 enforcement activities in Region 5
- All Region 5 states operate their Clean Water Act Section 402 NPDES stormwater permitting programs.
- Michigan is one of just two states (the other being New Jersey) that has been approved by EPA and the Corps to operate the Clean Water Act Section 404 “dredge and fill” wetland permitting program within its borders; the remaining Region 5 states do not have approval to operate their Clean Water Act wetland permitting programs.
- Wisconsin is authorized to administer its RRP Lead Programs; in all other Region 5 states, EPA administers the RRP Lead Programs.

EPA Region 6 – South Central (Dallas, TX)



- Arkansas
- Louisiana
- New Mexico
- Oklahoma
- Texas
- 66 Tribes



Region 6 Acting Administrator – Samuel (Sam) Coleman, P.E.

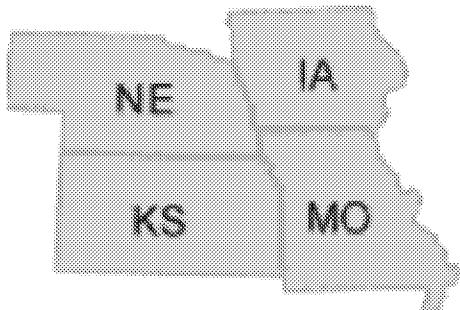
- Former Deputy Regional Administrator (Region 6)
- Former Superfund Division Director and Compliance Assurance and Enforcement Director (Region 6)
- Prior to his work in Region 6, Coleman served as Deputy Director of the Office of Site Remediation Enforcement at EPA HQ in DC.
- Guided EPA’s response to Hurricane Katrina as the agency’s senior federal official in New Orleans.

Fast Facts

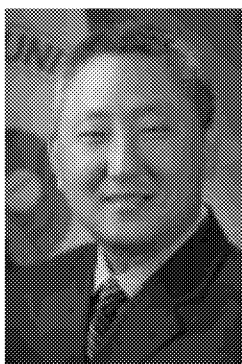
State	Enforcement Authorization			
	Clean Air Act (CAA)	Clean Water Act (CWA)	Resource Conservation and Recovery Act (RCRA)	Renovation, Repair, & Painting (RRP) Lead
Arkansas	State	State	State	EPA
Louisiana	State	State	State	EPA
New Mexico	State	EPA	State	EPA
Oklahoma	State	State	State	State
Texas	State	State	State	EPA

- In FY16, there were a total of 364 enforcement activities in Region 6.
- EPA administers the Clean Water Act Section 402 NPDES stormwater permitting program in New Mexico; all other Region 6 states have been delegated authority to operate their own Clean Water Act Section 402 NPDES stormwater permitting programs.
- No Region 6 states operate their Clean Water Act Section 404 “dredge and fill” wetland permitting programs.
- Oklahoma is authorized to administer its RRP Lead Programs; in all other Region 6 states, EPA administers the RRP Lead Programs.

EPA Region 7 - Midwest (Lenexa, KS)



- Iowa
- Kansas
- Missouri
- Nebraska
- 9 Tribal Nations



Region 7 Acting Administrator – Edward H. Chu

- Chu has held key leadership position at EPA since 1995
- Former Ass’t Regional Administrator for the Pacific Northwest & Alaska Region (Region 10) and Southeast Region (Region 4)
- Served as Deputy Assoc. Director for Green Jobs, Community Protection, and Climate Solutions as at White House Council on Environmental Quality
- Founding member of EPA’s Office of Children’s Health Protection

Fast Facts

- Region 7 has approximately 650 EPA employees.

State	Enforcement Authorization			
	Clean Air Act (CAA)	Clean Water Act (CWA)	Resource Conservation and Recovery Act (RCRA)	Renovation, Repair, & Painting (RRP) Lead
Iowa	State	State	EPA	State
Kansas	State	State	State	State
Missouri	State	State	State	EPA
Nebraska	State	State	State	EPA

- In FY16, there were a total of 228 enforcement activities in Region 7.
- All Region 7 states operate their Clean Water Act Section 402 NPDES stormwater permitting programs.
- No Region 7 states operate their Clean Water Act Section 404 “dredge and fill” wetland permitting programs.
- Iowa and Kansas are authorized to administer their RRP Lead Programs; in Missouri and Nebraska, EPA administers the RRP Lead Programs.

EPA Region 9 – Pacific Southwest (San Francisco, CA)



- Arizona
- California
- Hawaii
- Nevada
- Pacific Islands
- 148 Tribes



Region 9 Acting Administrator – Alexis Strauss

- From 1994 to 2012, Ms. Strauss served as Regional Water Division Director
- Earlier in her career at EPA, she worked in the Superfund and Hazardous Waste programs

Fast Facts

- Region 9 has approximately 760 EPA employees.

State	Enforcement Authorization			
	Clean Air Act (CAA)	Clean Water Act (CWA)	Resource Conservation and Recovery Act (RCRA)	Renovation, Repair, & Painting (RRP) Lead
Arizona	State	State	State	EPA
California	State	State	State	EPA
Hawaii	State	State	State	EPA
Nevada	State	State	State	EPA
Pacific Territories	EPA	EPA	EPA	EPA

- In FY16, there were a total of 126 enforcement activities in Region 9.
- EPA administers the Clean Water Act Section 402 NPDES stormwater permitting program in the Pacific Territories; all Region 9 states have been delegated authority to operate their own Clean Water Act Section 402 NPDES stormwater permitting programs.
- No Region 9 states / territories operate their Clean Water Act Section 404 “dredge and fill” wetland permitting programs.
- No Region 9 states / territories are authorized to administer their RRP Lead Programs; all RRP Lead programs in Region 9 are run by EPA.

EPA Regional Office Challenges

Lead-Based Paint Issues Needing Action

- Outreach programs
 - It is commendable that some regions are conducting compliance initiatives that put them in the field with building remodelers and those regulated by EPA's Renovation, Repair, and Painting (RRP) program. These initiatives offer valuable education opportunities for both remodelers and inspectors, and put a human face on a federal program.
 - However, it is troublesome that some of these regional initiatives are urging local governments and code officials to engage in the RRP program in states where the state has not sought delegation of the program from EPA.
- Inconsistent Enforcement
 - While EPA Regions have a significant amount of flexibility, ostensibly to respond to local conditions, this flexibility can also result in inconsistent enforcement of national regulatory programs.
 - In certain regions, the region has imposed additional requirements in addition to the national program (e.g., a requirement that an RRP checklist for which there is no required format cannot be both typewritten and handwritten).
 - Additionally, the variability between regions makes tracking information on EPA's enforcement programs very difficult. While EPA maintains a national enforcement database, EPA regional staff take a number of different approaches to entering data on enforcement actions. The end result is a database that doesn't capture an accurate picture of enforcement actions occurring in the regions.

Stormwater Issues Needing Action

- Inconsistent Enforcement (active construction)
 - Regional staff need to be educated on a new directive in EPA's 2017 Construction General Permit clarifying that individual details of on-site compliance plans (Stormwater Pollution Prevention Plans [SWPPPs]) are not enforceable, and can no longer be the source of field violations. If implemented correctly, this should dramatically decrease the number of low-level paperwork violations experienced by construction businesses, and allow Regional staff to re-direct their attention to repeat bad actors causing real environmental harm.
- Inappropriate Directives from EPA Regions to States (post construction permits)
 - Regions need to hear a clear message from HQ that states are in the driver's seat when choosing their NPDES water permitting approach. Specifically, it would be useful for HQ to clarify that:
 1. EPA Permit Quality Review (PQR) reports written by Regional offices are not to be considered legally binding. In some cases States have interpreted these reports as a federal directive to adopt stricter limits.
 2. EPA's Revised 2016 MS4 Remand Rule did not "raise the floor" of this federal program governing stormwater obligations for small cities. The 2016 rule does not require States to adopt numeric limits. It only requires them to adopt "clear, specific, and measurable" limits, with wide discretion for states to determine how they want to address urban water pollution.

National Association of Home Builders (NAHB) Environmental Issues Talking Points

- NAHB is strongly supportive of Administrator Pruitt, and we look forward to working with him and his staff to implement a pragmatic approach to environmental regulation.
- Residential construction is one of the most heavily regulated industries in the country, as it is one of the few industries in which a government-issued permit is typically required for each unit of production.
- Builders and developers are often subject to a layering effect, where numerous regulations are stacked on top of one another. In some areas of the country, 10 or more government approvals or reviews are required before land can be developed.
- The fact that, on average, nearly 25% of the cost of a single-family home is attributable to government regulation is particularly troubling.
- We urge EPA, in carrying out President Trump's regulatory streamlining directives, to focus not only on new rules but also on opportunities to revoke or revise existing rules.
- NAHB believes it is tremendously important that EPA consider the impact of federal regulations upon existing state and local government requirements as well as small businesses.
- In fact, the overwhelming majority of NAHB's members are small businesses. Over 90% percent of members meet the federal definition of a "small entity" as defined by the U.S. Small Businesses Administration.
- Here, we discuss three key environmental issues facing the home building industry – waters of the U.S. (WOTUS), the Lead Rule and Stormwater Regulation.

Talking Points on EPA's Withdrawal of the Clean Water Rule (WOTUS)

Background

- On the topic of WOTUS, we want to thank Administrator Pruitt and President Trump for the regulatory relief they will bring to the nation's builders and developers by fixing the flawed WOTUS rule.
- The President's Executive Order is a positive first step toward reworking the regulation and implementing a more sensible rule.
- Under Administrator Pruitt's leadership, EPA and the Corps have already signaled their intent to fix WOTUS, and we want to commend you for moving quickly.

NAHB's Position

- Like all industries, home builders rely on permitting programs that are timely, predictable and consistent.
- Builders and developers take steps to avoid impacts to wetlands and streams, but when we don't know what's regulated and what's not, how do we know what to avoid?
- We are ready to work with EPA and the Corps to craft a clear, defensible rule that is fair and balanced and that meets the needs of our members.
- Ultimately, we are in complete agreement with Administrator Pruitt that any future rule must limit federal jurisdiction based on Congressional intent and Supreme Court rulings.

NAHB Requests

- With respect to wetland permitting, we encourage EPA to explore opportunities for states to administer the dredge and fill "wetland" permitting program within their borders as envisioned by Congress in Section 404(g) of the Clean Water Act.
- While 46 states have assumed their 402 stormwater programs, only 2 – New Jersey and Michigan – have assumed their 404 wetland programs.
- NAHB believes that regulation is best handled at the state and local level and encourages EPA to continue to support the ongoing "Assumable Waters Subcommittee" in which we participate. We encourage EPA to explore ways to remove hurdles that have kept so many states from running their wetland permitting programs.

Talking Points on EPA's Renovation, Repair, and Painting (RRP) Lead Rule

Background

- EPA's Lead Renovation, Repair, and Painting (RRP) Rule addresses lead-based paint hazards created by renovation, repair, and painting activities that disturb lead-based paint in target housing and child-occupied facilities built before 1978.
- RRP regulation requires that individual and company renovators be certified under the rule.
- Certified renovators are required to register with EPA, complete approved training courses and use lead-safe work practices during renovation, repair and painting activities that disturb lead-based paint in buildings subject to the rule unless a determination can be made that no lead-based paint would be disturbed during the renovation or repair.
- When the rule was first published in 2008, it included provisions to minimize burdensome aspects of the program that have since been eliminated or failed to achieve their promised goal in implementation.
 - The opt-out provision, which allowed homeowners to affirmatively opt-out of the requirements of the RRP program when no children under six or pregnant women were present in the target housing under renovation was subsequently eliminated by later amendment.
 - The provision calling for an EPA recognized lead test kit, which was to be used by a certified renovator to determine whether there are hazardous levels of lead-based paint, has not brought an affordable, qualified, recognized test kit to market.
- Furthermore, despite certain misconceptions, the RRP Rule by statute is not intended to require abatement level activities.

NAHB's Position

- NAHB believes the Lead Renovation, Repair, and Painting (RRP) program is a prime example of a program where changes can be made that align with the Administration's efforts to significantly improve the landscape for small businesses without undermining environmental protections.
- EPA's current retrospective review of the program through Section 610 of the Regulatory Flexibility Act is a timely opportunity to bring meaningful change to this program.

NAHB Requests

- We urge EPA to take the following steps to reform the RRP Lead rule:
 - Conduct a revised cost-benefit regulatory analysis that acknowledges that a lead testing kit has not come to market.
 - Respond to the congressional call for EPA to address the lack of a qualifying lead-based paint test kit, including an explanation of how the Agency will resolve the issue.
 - Limit the scope of RRP coverage by reducing the housing stock covered by the regulation to homes built before 1960, which have the greatest likelihood of containing lead-based paint.
 - Revise EPA's regulation amending the renovator refresher training requirements under the RRP program, which created a bifurcated training structure that penalizes those seeking to utilize new opportunities for online training and has created confusion within the industry.
- NAHB feels it is important for the above actions to be included in the final Section 610 report due out shortly.

Talking Points on Federal Overreach in the NPDES Stormwater Program

Background

- NAHB agrees with Administrator Pruitt's position on the need to return control of key environmental programs to the States. Reversing federal overreach in the National Pollutant Discharge Elimination System (NPDES) stormwater program is a crucial priority for the U.S. housing industry.
- Builders are directly regulated through both individual stormwater permits for **active construction**, and indirectly, through **post-construction requirements** in the municipal stormwater program.

NAHB's Position

- We are seeing federal overreach in the stormwater program in both of these areas:
 - **Active Construction:** While we worked hard with EPA staff to simplify many provisions in the 2017 Construction General Permit (CGP) released last January, NAHB recently filed a Petition for Review of this permit because it holds small builders liable for fines of up to \$50,000 per day for off-site violations they have no control over.
 - **Post-construction:** Although EPA dropped efforts to adopt a national post-construction standard in 2014, the Agency continues to pressure states to adopt numeric limits. EPA guidance released in November 2016 cited a list of almost entirely numeric limits as the only "acceptable" provisions for state programs. We are gravely concerned with this type of federal intrusion into municipal and state affairs.

NAHB's Requests

- NAHB has a long history and good working relationship with EPA's stormwater program. With respect to stormwater regulations, we have two specific asks:
 - **NAHB ASK FOR ACTIVE STORMWATER:** NAHB previously worked with EPA to develop a streamlined compliance template for single family homes on large subdivisions. We'd like to request that EPA turn this template into a streamlined small lot permit, which would further simplify the program and dramatically reduce compliance costs for these low-risk sites.
 - **NAHB ASK FOR POST-CONSTRUCTION:** To clarify some long-held confusion in the post-construction program, we ask that EPA clearly state that the Permit Quality Review (PQR) "report cards" that states receive from EPA offices are not legally binding. These reviews are suggestions, not requirements, and should not be seen as federal mandates to adopt stricter stormwater limits.

Concluding Remarks

- We hope to continue this dialogue as there will be many other issues to address as EPA moves forward to implement the Administration's directives for regulatory reforms.
- NAHB stands ready to work with EPA to restore balance and make regulations more cost-effective without undermining their intent.
- We are pleased that the Administration recognizes that a balanced regulatory approach is imperative to putting economic growth back on track.

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 6/7/2017 2:08:39 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: ECOS STEP meeting

Ken

That would be great. I could stay over another day and meet Tuesday if that would be better.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: Ex. 6 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Tuesday, June 06, 2017 9:18 AM
To: Rich Dailey
Subject: EXT: Re: ECOS STEP meeting

Rich:

I will definitely be at the STEP meeting and may be speaking. I would love to carve off some time to get together. As the agenda comes out, let's touch base and set something up.

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 Jun 6, 2017, at 5:38 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

I'll be attending the ECOS STEP meeting July 17. Alex Dunne mentioned that either Administrator Pruitt or you may be speaking that day. Would you like to try to get together then? I think I mentioned that I'm originally from Maryland, and I will actually be there the week of 7/10 visiting family – I could make time that week as well if that works better for you. Hope you are surviving and thriving in the swamp.

Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone: Ex. 6 Fax 479-204-9675

rich.dailey@wal-mart.com

Walmart * Compliance

508 SW 8th Street

Bentonville, AR 72716-0505

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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 6/4/2018 12:17:59 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Lueckenhoff, Dominique [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0c0739371f9474c8abb685a920d6d83-Dluecken]; servido.cosmo@epa.gov; Toni Mccrory [Toni.Mccrory@walmart.com]
Subject: RE: EPA Region III/Walmart Stormwater Project

Ken
Meeting with the Administrator and Water AA was something Nena, Daisy, and I discussed several months ago. When Dominique and I talked, she said that the Deputy Administrator indicated he thought that this was something that could be brought to the Administrator's attention. We are at a point where we have some interesting developments to discuss. I guess I'm not really requesting a meeting – that's not really my place. However, we are very excited about this and willing to participate in any meeting you guys want to put together in DC. Any time after July 4 works for me. Hope all is well with you.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Monday, June 04, 2018 5:05 AM
To: Rich Dailey
Cc: Shaw, Nena; Letendre, Daisy; Lueckenhoff, Dominique; servido.cosmo@epa.gov; Toni Mccrory
Subject: EXT: Re: EPA Region III/Walmart Stormwater Project

Good morning Rich, do you have a timeframe for wanting this meeting? I know our AA for water is still taking very few meetings because of some deadlines related to the WOTUS rule making. So July is probably better for him.

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 Jun 1, 2018, at 3:24 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken/Nena/Daisy

I spoke with Dominique Lueckenhoff today about the joint stormwater project that I've discussed with you all. Cosmo and Dominique briefed your new Deputy Administrator the other day and he was apparently impressed and excited. We had discussed getting a briefing together for the Administrator and the AA for Water. I think we are probably at that point if you are ready to set that up. Dominique and I discussed having a call with you sometime within the next several weeks to bring you up to speed and begin planning that meeting. Attached is a infographic that Dominique developed that pretty much tells our story on one page. As you can imagine, we are all very excited about this!

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: Ex. 6 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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<R3_HPP_Partnership_UPDATED.pdf>

Message

From: Toni Mccrory [Toni.Mccrory@walmart.com]
Sent: 6/4/2018 10:05:31 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Automatic reply: EPA Region III/Walmart Stormwater Project

I will be out of the office until Monday, June 11th.

If this is an emergency please contact the Emergency Operations Center (EOC) at 479.204.3911.

For **stormwater** issues please contact Wendy.Widener@walmart.com

For **grease interceptor/used cooking oil/oil water separator** issues please contact James.Sbanotto@walmart.com

For **lift station/wastewater treatment/wetland** issues please contact Carlo.Bertani@walmart.com

I will reply to emails when I return.

Have a wonderful day!

Delivery Report

From: Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]
Sent: 6/4/2018 10:05:04 AM
To: servido.cosmo@epa.gov
Subject: Undeliverable: Re: EPA Region III/Walmart Stormwater Project
Attachments: Re: EPA Region III/Walmart Stormwater Project

Your message

To: Rich Dailey
CC: Shaw, Nena; Letendre, Daisy; Lueckenhoff, Dominique; servido.cosmo@epa.gov; Toni Mccrory
Subject: Re: EPA Region III/Walmart Stormwater Project
Sent: 6/4/2018 10:05:03 AM



Your message to servido.cosmo@epa.gov couldn't be delivered.

servido.cosmo wasn't found at epa.gov.

wagner.kenneth	Office 365	servido.cosmo
Action Required		Recipient
		

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 6/4/2018 10:05:03 AM
Sender Address: wagner.kenneth@epa.gov
Recipient Address: servido.cosmo@epa.gov
Subject: Re: EPA Region III/Walmart Stormwater Project

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient servido.cosmo@epa.gov not found by SMTP address lookup
DSN generated by: DM5PR09MB1340.namprd09.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
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Original Message Headers

Authentication-Results: walmart.com; dkim=none (message not signed)
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From: "Wagner, Kenneth" <wagner.kenneth@epa.gov>
To: Rich Dailey <Rich.Dailey@walmart.com>
CC: "Shaw, Nena" <Shaw.Nena@epa.gov>, "Letendre, Daisy"
<letendre.daisy@epa.gov>, "Lueckenhoff, Dominique"
<Lueckenhoff.Dominique@epa.gov>, "servido.cosmo@epa.gov"
<servido.cosmo@epa.gov>, Toni Mccrory <Toni.Mccrory@walmart.com>
Subject: Re: EPA Region III/Walmart Stormwater Project
Thread-Topic: EPA Region III/Walmart Stormwater Project
Thread-Index: AdP551Y/05jUURatQ8qe18iTFhTzEgCB8s1D
Date: Mon, 4 Jun 2018 10:05:03 +0000
Message-ID: <0571D97B-CFAA-45A1-9BBF-E0B518FD4277@epa.gov>
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uHQ2T4AuISTfN2JHwdndnhqz0sleky/gSjllYVbAO1536aV/iyHJ9EUPj8tltqkFSFhDEjvQsvnfdmPJ6QwYvxqJl
5dMswdc/w2a;39;YaA88RQ0rjSaqclgr3zO1d8m9TxTcT8GeU1zbZ461q4GfhQ7M4C2sWnLk4WAB065pK71NcT39z
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jHyI

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+DElDEKTXAF4zChPnajPENKJpeAruTUunufAE8sZX7rUd6tuDUlZJ3Kczdf8vJulrquJ5W8PeuZ7TM4Ha4dYPPyPY
gKpYImJJOkvuYHUr6LDYonksvHojGiZVDUqV2ogQ+4hAbrZyfnDIz4DZJBsL8goqfC7q3XRlOsEJ/XPx1SExvcp65
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X-Forefront-Antispam-Report:

SFV:SKI;SCL:-1;SFV:SKI;SFS;;DIR:INB;SFP;;SCL:-
1;SRVR:DM5PR09MB1340;H:DM5PR09MB2268.namprd09.prod.outlook.com;FPR;;SPF:None;LANG:en;
Return-Path: wagner.kenneth@epa.gov

X-Microsoft-Antispam:

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2cHvpFoEGieivANUbkFknj+jsmcCgW3tNC7wsqLRYtCaXFrDhrSMN1M1SXHXWwQtVnTvT/go1Muzp371xfz92oGvz
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SXf5TgDf+gl5d4BATrkU7G0EgzQs8v77XS2uanIF0KUQqCAvrW0nuM5TrNx4Sxjkl6rwlclRpxvujWn+KnJmmzMj1Lsj
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X-MS-TrafficTypeDiagnostic: DM5PR09MB1340:

X-Exchange-Antispam-Report-Test:

UriScan:(192849818126956)(236348401798636)(229425074694992);

X-Exchange-Antispam-Report-CFA-Test:

BCL:0;PCL:0;RULEID:(9101524173)(2401047)(8121501046)(823300264)(823310115)(1020150
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X-Microsoft-Antispam-Message-Info:

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dILALE8wOreWuJfP77++BeLB50Fwz0T+KktCjEj9w1Qf9wCO1D+A+rWDLdfZ3ifg2hf7m8XBEtYF5TqrFgmt7+kb
o6cEG5o2/KsxKKvbEwIXDIK6suzU9JlmaWcWmqmMGTvAuC4qMiytVUVnXAZLFRK65DujV53Kb7L8FyFwCJ8jodIy
3wpgjuQ2FgvCQ6oZ+Bw8y0dTE8YnvlKGoS6SSJxOade6rNuGwIRLlVzXvB+ECJQMzgzKIDgS6wyiAVZmFYgqnv41zsFh
0yX+Ykqnfh0tajHCTD4iq+P70/yU2rWh+5u1Lcphk1p6u/mSzcq==;5;EyJ/ae17GiKodB6SVCrOuyWlMXM2HFKlh7
nPCCdz8Zv5/69P0N1TEHJa5QM2CtVAfsq0BnRbXO+kTY75Z17t2WRTwbzK;Y8BeWiBzEzQhtOpL/y4HiJzxpF3urcyw

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SpamDiagnosticOutput: 1:0

X-Microsoft-Exchange-Diagnostics:

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X-MS-Office365-Filtering-Correlation-Id: dd95618f-14e1-49f8-6048-08d5ca02a40e

X-MS-Exchange-CrossTenant-OriginalArrivalTime: 04 Jun 2018 10:05:03.2694

(UTC)

X-MS-Exchange-CrossTenant-FromEntityHeader: Hosted

X-MS-Exchange-CrossTenant-Id: 88b378b3-6748-4867-acf9-76aacbeca6a7

X-MS-Exchange-CrossTenant-Network-Message-Id: dd95618f-14e1-49f8-6048-08d5ca02a40e

X-MS-Exchange-Transport-CrossTenantHeadersStamped: DM5PR09MB1340

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 6/4/2018 10:05:03 AM
To: Rich Dailey [Rich.Dailey@walmart.com]
CC: Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Lueckenhoff, Dominique [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0c0739371f9474c8abb685a920d6d83-Dluecken]; servido.cosmo@epa.gov; Toni Mccrory [Toni.Mccrory@walmart.com]
Subject: Re: EPA Region III/Walmart Stormwater Project

Good morning Rich, do you have a timeframe for wanting this meeting? I know our AA for water is still taking very few meetings because of some deadlines related to the WOTUS rule making. So July is probably better for him.

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 Jun 1, 2018, at 3:24 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken/Nena/Daisy

I spoke with Dominique Lueckenhoff today about the joint stormwater project that I've discussed with you all. Cosmo and Dominique briefed your new Deputy Administrator the other day and he was apparently impressed and excited. We had discussed getting a briefing together for the Administrator and the AA for Water. I think we are probably at that point if you are ready to set that up. Dominique and I discussed having a call with you sometime within the next several weeks to bring you up to speed and begin planning that meeting. Attached is a infographic that Dominique developed that pretty much tells our story on one page. As you can imagine, we are all very excited about this!

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: Ex. 6 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✨ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

<R3_HPP_Partnership_UPDATED.pdf>

Message

From: Taylor Gissell [Taylor.Gissell@walmart.com]
Sent: 5/24/2018 8:52:43 PM
To: Chancellor, Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae6aeabeca754643bdb01c9f5b653ca6-Chancellor,]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: EXT: Re: Helping young talent

Thank you, Ken!

Erin, Ken has said great things about you and thought it may be good for us to connect. Would you be free for a call in the next few weeks?

Thanks,

Taylor

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, May 24, 2018 1:04 PM
To: Chancellor, Erin; Taylor Gissell
Subject: EXT: Fwd: EXT: Re: Helping young talent

Erin, meet Taylor, this is the bright young lawyer we discussed.

Ken

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

Begin forwarded message:

From: Taylor Gissell <Taylor.Gissell@walmart.com>
Date: May 24, 2018 at 8:20:29 AM CDT
To: "Wagner, Kenneth" <wagner.kenneth@epa.gov>
Subject: RE: EXT: Re: Helping young talent

Looking forward to our call. Attaching my resume to provide some background.

Thanks,
Taylor

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, May 23, 2018 2:23 PM
To: Taylor Gissell
Subject: Re: EXT: Re: Helping young talent

Looking forward to it...

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
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wagner.kenneth@epa.gov

On May 23, 2018, at 2:16 PM, Taylor Gissell <Taylor.Gissell@walmart.com> wrote:

That works perfectly. I'll give you a call then.

Thanks,
Taylor

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, May 23, 2018 2:13 PM
To: Taylor Gissell
Subject: Re: EXT: Re: Helping young talent

How about 10:30am CDT...I'm in Tulsa tomorrow

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Hi Ken,

I sent an outlook calendar for 9:30 tomorrow, but given calendar invites going to those outside of the company are somewhat unreliable, would

9:30 CST tomorrow work for you? I'm fairly open tomorrow so working into your schedule may be easier.

Thanks again,
Taylor

Ex. 6

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, May 23, 2018 1:54 PM
To: Taylor Gissell
Cc: Rich Dailey
Subject: Re: EXT: Re: Helping young talent

Taylor,

I am looking forward to visiting. I hope I can provide a bit of insight, but there are several younger women lawyers who I think are fantastic that I'd like to connect with you.

Is there a time tomorrow that I could call?

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
U S Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC. 20460
office: (202) 564-1988
cell: **Ex. 6**
email: wagner.kenneth@epa.gov

This email is for official EPA business only and is subject to disclosure under the Freedom of information Act

On May 23, 2018, at 6:41 AM, Taylor Gissell
<Taylor.Gissell@walmart.com> wrote:

Thanks, Rich.

Ken- Thanks for agreeing to connect. I'm really looking forward to getting your perspective. I'll be reaching out shortly with a planner for a call.

Thanks again,
Taylor

On May 22, 2018, at 8:13 PM, Rich Dailey
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Thanks Ken - really appreciate it. Her name is Taylor Gissell. Taylor - feel free to reach out to Ken and set up some time to talk.

Rich

Sent from my iPhone

On May 22, 2018, at 4:18 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Rich: Great to hear from you. I would love to visit with her as well as hook her up with some woman attorneys here who could provide some better insight.

Feel free to have her drop me an email and we will connect and put her with some people that I really think are bright attorneys who have different career paths.

Ken

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Office of the
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**US Environmental
Protection Agency**
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NW
Washington DC 20001

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wagner.kenneth@epa.gov
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On May 22, 2018, at 5:59 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Hope
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well. I'd
like
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someth
ing if
you can
make
the
time. I
have a
young
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here,
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Univers
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is super
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beyond
her
years.
She is
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y for
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company – she is helping to manage our risk assessment/maturity model processes. Currently, she is at a point where she's unsure of which way to go next. A firm, corporate law, EPA, etc. Since I'm not a lawyer, I'm not much help. I know how busy you must be, but I'd appreciate it if you could find a half hour to talk with her. Le

t me
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Rich

Rich
Dailey,
Sr.
Directo
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Enviro
nmenta
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Health
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Safety
Compli
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Phone

Ex. 6

Fax
479-
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[rich.dailey@wal](mailto:rich.dailey@wal-mart.com)
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[mart.co](http://mart.com)
[m](http://mart.com)

Waima
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Complia
nce
508 SW
8th
Street

Benton
ville,
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The
Right
Way,
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Day!

Message

From: Chancellor, Erin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AE6AEABECA754643BDB01C9F5B653CA6-CHANCELLOR,]
Sent: 5/24/2018 6:49:37 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Taylor.Gissell@walmart.com
Subject: RE: EXT: Re: Helping young talent

Thanks, Ken.

Taylor- Nice to meet you via email. Ken has said great things about you, I'll email you separately and we can set up a time to chat.

Have a great weekend!

Let the record show: I did not make any Aggie jokes in this email.

Erin E. Chancellor
Counsel to the Administrator
U.S. Environmental Protection Agency
(202) 566-1757 (office)
Ex. 6 (cell)
chancellor.erin@epa.gov

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thought
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mature
beyond
her
years.

She is not working as an attorney for the company – she is helping to manage our risk assessment/maturity model processes.

Currently, she is at a point where she's unsure of which way to go next.

A firm, corporate law, EPA, etc.

Since I'm not a lawyer, I'm not much help. I know how busy you must be, but I'd appreciate it if you

could
find a
half
hour to
talk
with
her. Le
t me
know,
and I'll
introdu
ce you.
And,
don't
forget
to let
me
know
when
you're
back in
town –
I'd love
to get
togethe
r. Best,
Rich

Rich
Dalley,
Sr.
Directo
r
Enviro
nmenta
l,
Health
and
Safety
Compli
ance
Phone

Ex. 6

Fax
479-
204-
9675
rich.dalley@wal
=
[mart.com](mailto:rich.dalley@wal)

Walmart *
Compliance
508 SW
8th
Street
Benton
ville,
AR
72716-
0505
The
Right
Way,
Every
Day!

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 6/1/2018 8:23:04 PM
To: 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]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
CC: Lueckenhoff, Dominique [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0c0739371f9474c8abb685a920d6d83-Dluecken]; servido.cosmo@epa.gov; Toni Mccrory [Toni.Mccrory@walmart.com]
Subject: EPA Region III/Walmart Stormwater Project
Attachments: R3_HPP_Partnership_UPDATED.pdf

Ken/Nena/Daisy

I spoke with Dominique Lueckenhoff today about the joint stormwater project that I've discussed with you all. Cosmo and Dominique briefed your new Deputy Administrator the other day and he was apparently impressed and excited. We had discussed getting a briefing together for the Administrator and the AA for Water. I think we are probably at that point if you are ready to set that up. Dominique and I discussed having a call with you sometime within the next several weeks to bring you up to speed and begin planning that meeting. Attached is a infographic that Dominique developed that pretty much tells our story on one page. As you can imagine, we are all very excited about this!

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone [] Ex. 6 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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HIGH PERFORMANCE PARTNERSHIP

for Green Stormwater Infrastructure

Optimizing Pond Performance and Green Infrastructure on Privately Owned Assets in the Chesapeake Bay Watershed

US EPA R3 High Performance Ponds (HPP) Partnership Demonstration Pilot



According to the Chesapeake Bay Program, Stormwater runoff is the fastest growing source of pollution to the Bay.

Implementing stormwater controls on public space is challenging because the **vast majority of land in the region is privately owned.**

Walmart

The world's largest retailer has hundreds of existing, well-maintained assets in the Chesapeake Bay that can be further optimized to improve water quality.

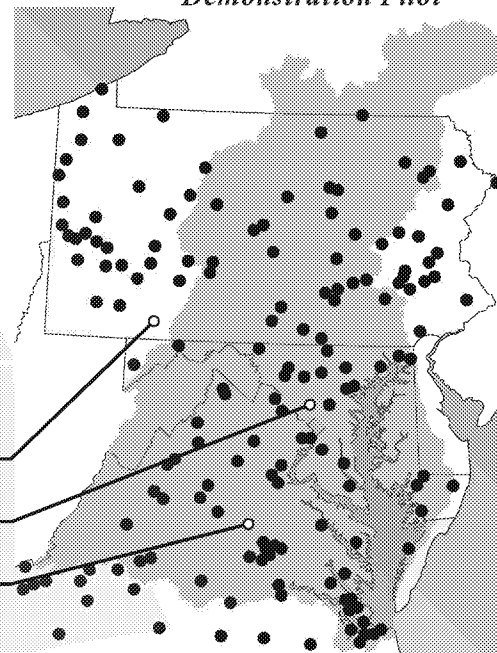


Percentage of privately held land (U.S. Census Bureau)

PENNSYLVANIA 83.9%

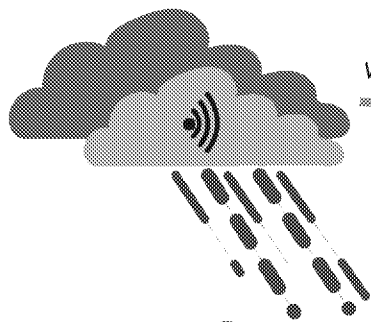
MARYLAND 92.4%

VIRGINIA 82.9%



Original watershed vector graphic from IAN/UMCES

Over 60,000 stormwater ponds estimated to exist across the Bay Watershed



Weather forecast to control panel

Web-based dashboard



Controls an actuated valve at the pond outlet

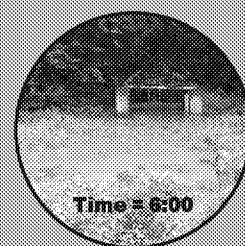
The High Performance Partnership retrofit program leverages **Continuous Monitoring and Adaptive Control Technology (CMAC)** to cost-effectively address a pressing public need with private stormwater assets.

2x+ pollutant removal efficiencies at 1/10th the cost

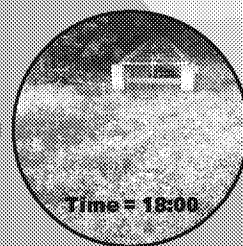
Water level data to control panel



Valve governs timing, rate, and volume of water leaving the pond.



Time = 9:00



Time = 18:00

CMAC pond retrofit in Maryland increases detention time, enhancing water quality treatment.

Infiltration to soil

POC: lueckenhoff.dominique@epa.gov

Message

From: Porter, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8A3C7DFBB2E445A7A6D37AABBE73D06B-APORTE02]
Sent: 5/4/2018 6:34:14 PM
To: Kosco, John [JKosco@nahb.org]; Messina, Edward [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=95521bf4e34496a879e364faf7e5aa8-Messina, Edward]
CC: Mittelholzer, Michael [MMittelholzer@nahb.org]; Carbone, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dd2e2c34bb504e5b9bf77aa9f9fbfe3d-CCarbone]; Duffy, Rick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ebe4271fd5084e5ca1ff60e76cf2c3c7-Duffy, Rick]; Segall, Martha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=56e9b2df09f2469294f95bd1e9ef827e-Segall, Martha]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Ward, Thomas [TWard@nahb.org]; Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: RE: Find and Fix Discussion w/NAHB

John –

As we just discussed, I will follow up with you next week regarding who your main point of contact at EPA should be on this effort.

Thank you,
Amy

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency

Ex. 6

From: Kosco, John [mailto:JKosco@nahb.org]
Sent: Monday, April 30, 2018 9:21 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Mittelholzer, Michael <MMittelholzer@nahb.org>; Carbone, Chad <Carbone.Chad@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Segall, Martha <Segall.Martha@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Ward, Thomas <TWard@nahb.org>; Shaw, Nena <Shaw.Nena@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>
Subject: RE: Find and Fix Discussion w/NAHB

Amy,

I wanted to introduce myself – I'm Eva's replacement at NAHB as the new Program Manager for Environmental Policy (stormwater). Eva briefed me on the find and fix documents, and I wanted to check with you on the status.

NAHB is very interested in advancing this issue for our members. Please let me know if you've had a chance to review what Eva sent (also attached) and if we can set up a conference call or meeting to discuss.

Thank you, and I look forward to meeting you and discussing this,

John

JOHN KOSCO Program Manager, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: [Ex. 6] e: JKosco@nahb.org w: nahb.org

From: Birk, Eva

Sent: Wednesday, March 28, 2018 6:00 PM

To: Porter, Amy <Porter.Amy@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>

Cc: Carbone, Chad <Carbone.Chad@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Segall, Martha <Segall.Martha@epa.gov>; Mittelholzer, Michael <MMittelholzer@nahb.org>; wagner.kenneth@epa.gov; Ward, Thomas <TWard@nahb.org>; Shaw, Nena <Shaw.Nena@epa.gov>; letendre.daisy@epa.gov

Subject: RE: Find and Fix Discussion w/NAHB

Amy,

I'm attaching some brainstorm documents NAHB developed on find and fix here. If you have time early next month please try and coordinate a call with Michael Mittelholzer, MMittelholzer@nahb.org. I've also cc'd Nena Shaw and Daisy Letendre, who we have briefed previously on this topic.

I may be able to hop on the call in April, but regardless we'd like you to see these docs sooner rather than later.

The first document outlines how NAHB believes find and fix compares and contrasts to existing EPA guidance, the second is a proposed field inspection sheet.

Kind regards,

Eva

EVA BIRK Program Manager, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: [Ex. 6] e: EBirk@nahb.org w: nahb.org

From: Porter, Amy [<mailto:Porter.Amy@epa.gov>]

Sent: Wednesday, March 28, 2018 10:12 AM

To: Messina, Edward <Messina.Edward@epa.gov>; Birk, Eva <EBirk@nahb.org>

Cc: Carbone, Chad <Carbone.Chad@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Segall, Martha <Segall.Martha@epa.gov>

Subject: RE: SCHEDULER: Find and Fix Discussion w/NAHB

Sorry – I have been buried this week. I am pretty open Thursday morning and Friday and would be happy to chat with you Eva if we need to have this before you leave Friday.

From: Messina, Edward

Sent: Wednesday, March 28, 2018 10:03 AM

To: Birk, Eva <EBirk@nahb.org>

Cc: Porter, Amy <Porter.Amy@epa.gov>; Carbone, Chad <Carbone.Chad@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Segall, Martha <Segall.Martha@epa.gov>

Subject: Re: SCHEDULER: Find and Fix Discussion w/NAHB

I am out this week but in next.

Ed Messina
Director
Monitoring, Assistance, and Media Programs Division
U.S. EPA
1200 Pennsylvania Ave., N.W. (MC-2227A)
Washington, DC 20460
p: (202) 564-1191
f: (202) 564-0050

On Mar 26, 2018, at 12:30 PM, Birk, Eva <EBirk@nahb.org> wrote:

Amy and Ed,

If you are available tomorrow before 3:30pm or Wednesday after 10am, I'd like to have a quick check-in regarding a Draft NAHB Find and Fix proposal we've been working on.

This would be mostly informal – I'm leaving NAHB at the end of the week, and would like to explain our process over the past few months to get you up to date.

Best,

Eva

EVA BIRK Program Manager, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: Ex. 6 e: EBirk@nahb.org w: nahb.org

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or*

*smart,
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Message

From: Brian Sanderson [bsanderson@rgppc.org]
Sent: 3/24/2017 7:26:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Mike Adams [MAdams@RGA.ORG]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Intro Meeting? [WARNING: SPF validation failed]

Thanks for the connection, Mike.

Tate - I'd be happy to connect via phone next Wednesday if that works for you. I'm not based in MS and will be in DC next on April 11-13. I was just there this week, so sorry to have missed you this week. I look forward to connecting. Thanks - Brian

Brian W. Sanderson
Policy Director
Republican Governors Public Policy Committee (RGPPC)
Republican Governors Association (RGA)
Ex. 6 (mobile)

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 24, 2017 10:49 AM
To: Mike Adams <MAdams@RGA.ORG>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>; Brian Sanderson <bsanderson@rgppc.org>
Subject: RE: Intro Meeting? [WARNING: SPF validation failed]

Awesome! Thanks, Mike. Brian- let us know if you have any time next week- preferably on Weds.?

Tate

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

From: Mike Adams [mailto:MAdams@RGA.ORG]
Sent: Friday, March 24, 2017 9:34 AM
To: Bennett, Elizabeth <bennett.elizabeth@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>; Brian Sanderson <bsanderson@rgppc.org>
Subject: RE: Intro Meeting? [WARNING: SPF validation failed]

Hi Tate - have heard your name a lot, good to e-meet you. Ccing RGA Policy Director Brian Sanderson, your best POC. Thank you.

Sent from my Verizon 4G LTE smartphone

----- Original message -----

From: "Bennett, Elizabeth" <bennett.elizabeth@epa.gov>
Date: 3/24/17 8:47 AM (GMT-05:00)
To: Mike Adams <MAdams@RGA.ORG>
Cc: "Wagner, Kenneth" <wagner.kenneth@epa.gov>
Subject: Intro Meeting?

Hey Mike! Tate Bennett here (native of Louisville) in Administrator Pruitt's Office. I am doing Congressional and Intergovernmental Affairs along with my colleague, Ken Wagner (cc'd). Do you have a good POC at RGA to schedule a quick intro meeting next Weds. Or Thursday? Happy to meet with whomever- the more the merrier!

Tate

Elizabeth Tate Bennett
Congressional Affairs & Intergovernmental Relations U.S. Environmental Protection Agency

Message

From: Kosco, John [JKosco@nahb.org]
Sent: 4/30/2018 1:21:11 PM
To: Porter, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8a3c7dfbb2e445a7a6d37aabb73d06b-APorte02]; Messina, Edward [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=95521fbf4e34496a879e364faf7e5aa8-Messina, Edward]
CC: Mittelholzer, Michael [MMittelholzer@nahb.org]; Carbone, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dd2e2c34bb504e5b9bf77aa9f9fbfe3d-CCarbone]; Duffy, Rick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ebe4271fd5084e5ca1ff60e76cf2c3c7-Duffy, Rick]; Segall, Martha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=56e9b2df09f2469294f95bd1e9ef827e-Segall, Martha]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Ward, Thomas [TWard@nahb.org]; Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: RE: Find and Fix Discussion w/NAHB
Attachments: NAHB Proposed Find and Fix Compliance Report.docx; Find and Fix Comparison.docx

Amy,

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NAHB is very interested in advancing this issue for our members. Please let me know if you've had a chance to review what Eva sent (also attached) and if we can set up a conference call or meeting to discuss.

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John

JOHN KOSCO Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: Ex. 6 e: JKosco@nahb.org w: nahb.org

From: Birk, Eva
Sent: Wednesday, March 28, 2018 6:00 PM
To: Porter, Amy <Porter.Amy@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Carbone, Chad <Carbone.Chad@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Segall, Martha <Segall.Martha@epa.gov>; Mittelholzer, Michael <MMittelholzer@nahb.org>; wagner.kenneth@epa.gov; Ward, Thomas <TWard@nahb.org>; Shaw, Nena <Shaw.Nena@epa.gov>; letendre.daisy@epa.gov
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Subject: Re: SCHEDULER: Find and Fix Discussion w/NAHB

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Ed Messina

Director

Monitoring, Assistance, and Media Programs Division

U.S. EPA

1200 Pennsylvania Ave., N.W. (MC-2227A)

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p: (202) 564-1191

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Eva

EVA BIRK Program Manager, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: Ex. 6 e: EBirk@nahb.org w: nahb.org

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NAHB Find and Fix Brainstorm

How is Find and Fix different than existing EPA guidance?

	EPA Expedited Settlement Offer Policy for Stormwater (2006)	“Find and Fix” Proposed Guidance	EPA Audit/Voluntary Disclosure Policy (2000)
Purpose	<i>Promotes compliance by providing an expedited enforcement mechanism in situations where violations are potentially less significant, can be quickly corrected, or an appropriate penalty can be promptly collected.</i>	<i>Provides opportunity for operators to correct potential violations in the field without threat of enforcement; provides incentives for prioritizing education and timely return to compliance.</i>	<i>Provides incentives for regulated entities to voluntarily discover, report and fix violations.</i>
Target Users	All operators	Small Businesses	Large operators
Pros	<ul style="list-style-type: none"> • Quicker settlement process. • Potentially lower settlement costs. 	<ul style="list-style-type: none"> • Immediate and proactive reduction of environmental risk. • Immediate feedback to firm on potential liability. • Removal of de minimus paperwork issues from enforcement process. • Improved operator education. 	<ul style="list-style-type: none"> • Penalty reduction • No recommendation for criminal prosecution • No routine requests for audit reports
Limitations for use	<ul style="list-style-type: none"> • Operator receives settlement offer months after violations occur, no opportunity to correct violations quickly. • Minor violations placed on permanent record w/large \$\$\$ consequences. 	<ul style="list-style-type: none"> • Only available to those operators in good standing. 	<ul style="list-style-type: none"> • Small operators rarely have resources or expertise to electronically document and disclose violations. • Minor violations placed on permanent record w/ large \$\$\$ consequences.
Performance measure	# Operators accepting ESO offers, \$\$ reduction in fines.	# Inspections resulting in immediate “fixes” reducing environmental risk.	# Operators participating in program.

Supporting EPA Policy for Find and Fix:

EPA Environmental Auditing Policy Statement (1986) 51 FR 131, 25004 (07/09/86)

This policy states that EPA must refrain from routine requests for audit reports. (i.e., EPA has not and will not routinely request copies of audit reports to trigger enforcement investigations).

<https://www.epa.gov/compliance/environmental-auditing-policy-statement>

EPA Audit Policy (April 2000) 65 FR 19,618 (04/11/00)

Formally titled “Incentives for Self- Policing: Discovery, Disclosure, Correction and Prevention of Violations,” this policy provides several major incentives for regulated entities to voluntarily discover and fix violations of federal environmental laws and regulations.

<http://www.gpo.gov/fdsys/pkg/FR-2000-04-11/pdf/00-8954.pdf>

Suarez (2003) The Role of the EPA Inspector in Providing Compliance Assistance during Inspections

This Memorandum describes a policy for EPA inspectors on what compliance assistance should and should not be provided to facilities during on-site compliance inspections.

<https://www.epa.gov/sites/production/files/2013-09/documents/inspectorrole.pdf>

Next Generation Compliance: Strategic Plan 2014-2017

The Next Generation Compliance Strategic Plan is organized around the five interconnected components:

- More Effective Regulations and Permits
- Advanced Monitoring
- Electronic Reporting
- Expanded Transparency, and
- Innovative Enforcement

<https://www.epa.gov/compliance/next-generation-compliance-strategic-plan-2014-2017>

Proposed “Find and Fix” Compliance Assistance Report

Site Name: _____ Permittee: _____

Division: _____ Inspection Date: _____ Inspector: _____

Weather conditions (check one): Dry Rain Snow Icy

Eligibility	Yes	No	N/A	Notes
A. Has the operator applied for and received NPDES permit coverage for the Site?				
B. Is the Stormwater Pollution Prevention Plan (SWPPP) on Site or its location posted?				
C. If required under the Applicable Permit, is the Applicable Permit and/or NOI on Site?				
D. Has the permittee been convicted/charged with previous civil or criminal NPDES violations for this Site?				
E. Were Site Inspection Reports completed regularly, and signed/certified by the Site Stormwater Representative if and as required by the Applicable Permit?				
F. Were there observed non-stormwater discharges not permitted under the Applicable Permit?				
Potential Violations	Notes/Suggested Remedy			
G.				
H.				
I.				
J.				
K.				
L.				
M.				
N.				
O.				
P.				
Q.				

Note : Inspector must perform closing conference describing potential violations and provide opportunity for input.

Note : After receiving Compliance Assistance Report notice, operator must provide certification that above issues have been addressed and document changes (using photographs, as necessary) within XXX business days. Operator understands EPA may choose to take further action on these issues at the Agency's discretion.

Name and Title of Inspector	Signature of Inspector	Date
------------------------------------	-------------------------------	-------------

Name and Title of Certifying Party	Signature	Date
---	------------------	-------------

If a Stormwater Consultant or Designee is present during inspection, the Site Stormwater Representative should review and sign the completed Compliance Assistance Report.

Name: Site Stormwater Representative	Signature	Date
---	------------------	-------------

Note that this form must be kept with the Stormwater Pollution Prevention Plan (SWPPP).

Message

From: Sara Decker [Sara.Decker@walmart.com]
Sent: 4/10/2018 7:44:57 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Ross, David P [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=119cd8b52dd14305a84863124ad6d8a6-Ross, David]
CC: Rich Dailey [Rich.Dailey@walmart.com]; Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Campbell, Ann [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8c25a0c2fb648b6a947694a8492311e-Campbell, Ann]
Subject: RE: Walmart + Chesapeake Bay watershed water quality improvement

Daisy/Nena – thanks for your time today. We really enjoyed the conversation.

David – would welcome the opportunity to discuss this project with you at your convenience or, alternatively, happy to answer any questions you may have!

From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Tuesday, April 10, 2018 2:18 PM
To: Ross, David P
Cc: Rich Dailey; Sara Decker; Shaw, Nena; Wagner, Kenneth; Campbell, Ann
Subject: EXT: Walmart + Chesapeake Bay watershed water quality improvement

David – my colleague Nena Shaw and I in the Office of Policy’s Smart Sectors program just had a great meeting with Rich Dailey and Sara Decker from Walmart (cc’d here) about a joint project they have with The Nature Conservancy and Opti (one of Walmart’s contractors) that involves using stormwater ponds to improve water quality.

Walmart has a really exciting prospective project in the works that would install water quality retrofits to existing Walmart stormwater assets in the Chesapeake Bay watershed. Rich has met with Ken Wagner on this issue and is meeting with Region 3 later this week. I’ve attached an overview of the project to this email. I think this is a great news story and something that could be replicated nationwide. I think this is also something that Administrator Pruitt would be interested in learning about as well.

I wanted to introduce you all and to extent I can be helpful in facilitating a meeting, let me know.

Best,

Daisy C. Letendre
Senior Advisor for Policy and Strategic Communications
U.S. Environmental Protection Agency
Office of the Administrator
Office of Policy
202.564.0410 (O)
Ex. 6 (C)

Message

From: Letendre, Daisy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B691CCCCA6264AE09DF7054C7F1019CB-LETENDRE, D]
Sent: 4/10/2018 6:18:23 PM
To: Ross, David P [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=119cd8b52dd14305a84863124ad6d8a6-Ross, David]
CC: Rich Dailey [Rich.Dailey@walmart.com]; sara.decker@walmart.com; Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Campbell, Ann [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8c25a0c2fb648b6a947694a8492311e-Campbell, Ann]
Subject: Walmart + Chesapeake Bay watershed water quality improvement
Attachments: TNC_WM_Opti Bay Program Synopsis_Final.pdf

David – my colleague Nena Shaw and I in the Office of Policy’s Smart Sectors program just had a great meeting with Rich Dailey and Sara Decker from Walmart (cc’d here) about a joint project they have with The Nature Conservancy and Opti (one of Walmart’s contractors) that involves using stormwater ponds to improve water quality.

Walmart has a really exciting prospective project in the works that would install water quality retrofits to existing Walmart stormwater assets in the Chesapeake Bay watershed. Rich has met with Ken Wagner on this issue and is meeting with Region 3 later this week. I’ve attached an overview of the project to this email. I think this is a great news story and something that could be replicated nationwide. I think this is also something that Administrator Pruitt would be interested in learning about as well.

I wanted to introduce you all and to extent I can be helpful in facilitating a meeting, let me know.

Best,

Daisy C. Letendre
Senior Advisor for Policy and Strategic Communications
U.S. Environmental Protection Agency
Office of the Administrator
Office of Policy
202.564.0410 (O)
Ex. 6 (C)

Prospective Project Development in the Chesapeake Bay

Walmart, Opti and The Nature Conservancy intend to jointly work to design and install water quality retrofits on existing Walmart stormwater assets in the Chesapeake Bay watershed to improve its water quality. The partners seek to fund these installations through the sale of the resulting water quality credits to prospective public buyers. The environmental management plan for the Chesapeake Bay—North America’s largest estuary—has set precedents in policy, science, and implementation for other large water bodies around the world. The EPA-sanctioned “pollution diet” for the Chesapeake is the largest and most complex ever in the U.S. If this work in the Bay is successful, the partners would look to scale the collaboration nationally.

Walmart: Walmart owns thousands of stormwater ponds throughout the US and wants to lead the retail and private sector in sustainable and innovative environmental management. Walmart has a strong interest in achieving measurable and valuable environmental benefits from the use of existing built stormwater assets while also lowering operational costs through stormwater fee or maintenance offsets and/or other payment for use. This initiative demonstrates our corporate commitment to address climate change, advance Clean Water Act compliance, and work closely with the communities we serve.

TNC/NatureVest: The Nature Conservancy has been focused on improving water quality in the Bay for decades. While agriculture remains the largest contributing source of pollution to the Bay, progress is being made. Stormwater runoff—the second largest and fastest growing source of pollution here and globally—is especially vexing, and the costs associated with traditional stormwater management have created financing and political concerns. Few efforts have the potential to be truly scalable; and TNC believes the Opti approach for utilizing existing assets provides a significant opportunity to achieve measurable and meaningful results. The Bay is also a strong launching point for this type of program, as it is a bellwether for how conservation efforts proceed in the US. TNC is excited to have a potential partner like Walmart be the initial pioneer and catalyst in this type of effort. As the world’s largest retailer, its leadership influences the entire sector. TNC will finance the design and construction of these projects and will leverage their network to assist in publicizing this effort and attracting credit buyers.

Opti: Opti’s intent is to accelerate the pace of cleanup of the Bay and adoption of CMAC retrofits and present an alternative to the traditional public Design->Bid->Build process to obtain treated acre or greened acre credits. Opti will leverage our technology and Chesapeake Bay water quality approvals to identify, design, and build projects on Walmart properties that will receive treated acre credits that will then be salable to communities and agencies that need to meet MS4 and TMDL retrofit targets.

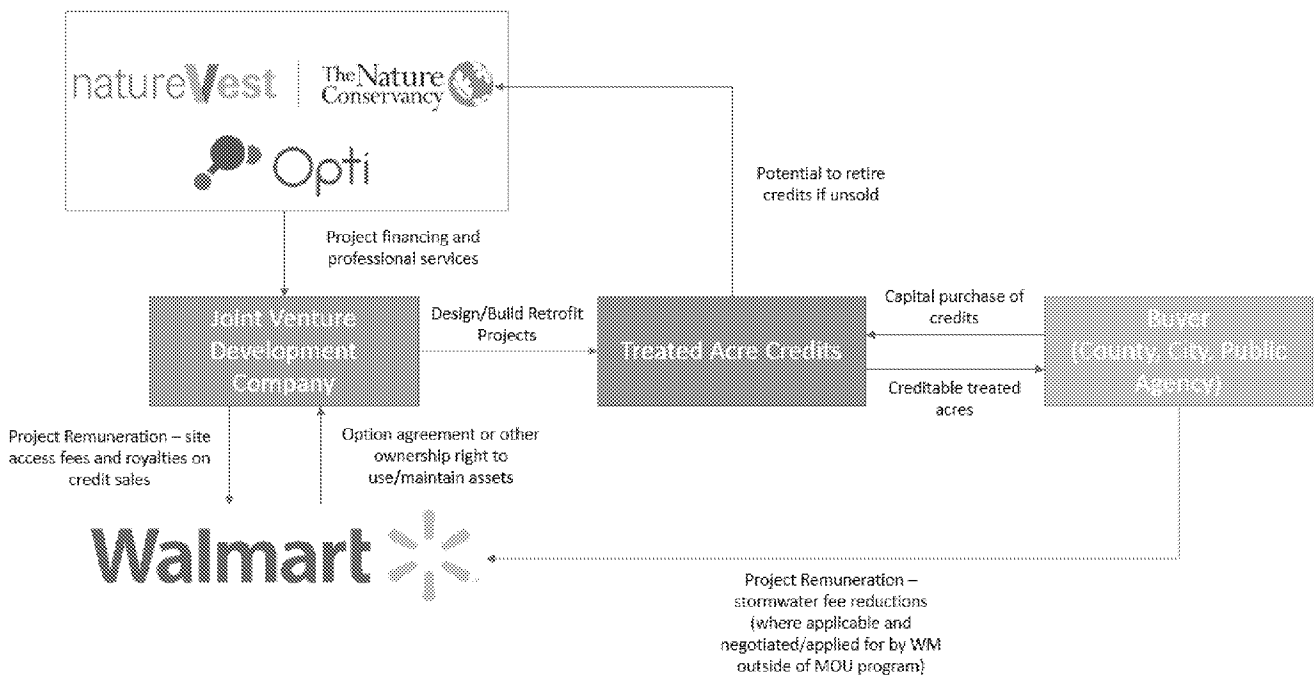


Figure 1: Overview of Project Model Flow

Quantified Opportunity

An initial assessment of Walmart assets in the Bay boundary was conducted to quantify the opportunity. Initial results are shown in the tables and figure below:

Table 1. Potential Credit and Pollutant Removal Summary for Walmart Assets

	# of Ponds	Estimated Imp. Drainage Area	Potential Credits - Low	Potential Credits - High	Estimated TSS removal / year (tons)	Estimated TP removal / year (lbs)	Estimated N removal / year (lbs)
Bay-wide Wet Ponds	52	400	200	280	75	280	2500
Bay-wide Dry Ponds	97	720	360	720	135	504	4500
Totals	149	1120	560	1000	210	784	7000
Estimated credit value based on PG County Benchmark (\$50,000/acre)			\$28,000,000	\$50,000,000			

*Bay-wide Wet Ponds (11 MD; 34 VA; 4 DE; 2 NY; 1 WV); Bay-wide Dry Ponds (16 MD; 44 VA; 2 NY; 1 WV; 34 PA)

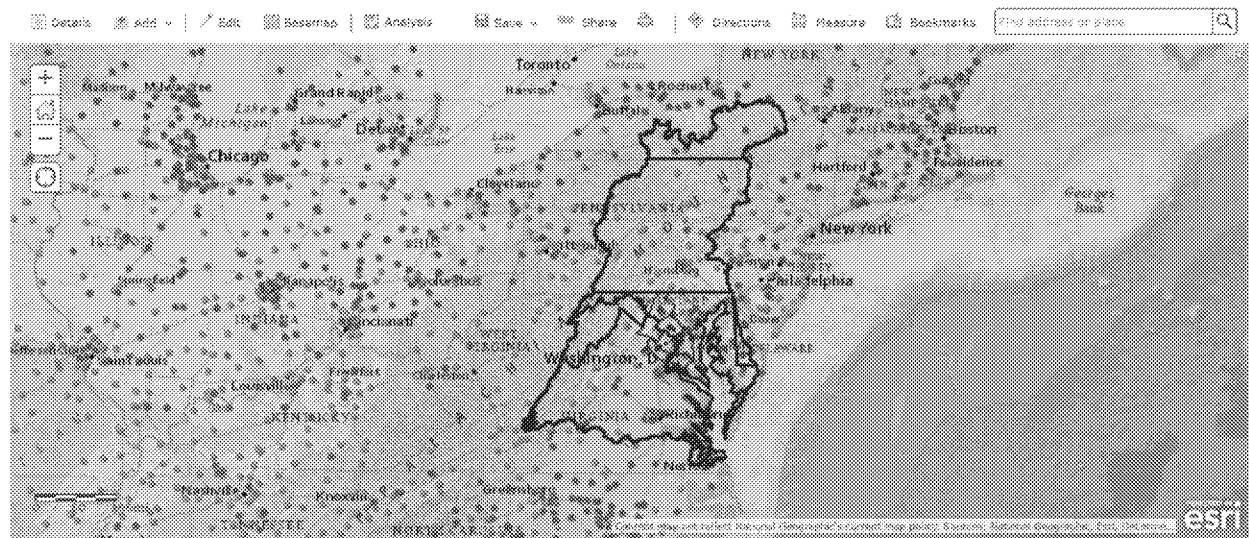


Figure 2: Supply map for Walmart Ponds in Bay Watershed

Purchasing Power

Typically, there are dedicated funding streams used to plan, design, bid, and build retrofits. The revenue streams are well supported in most cases through stormwater specific fees. Opti has databases of SW related funding streams for Bay communities and suggests targeting the following buyers in this order for purchase of water quality credits.

Potential Buyers

1. Counties - Large, Phase I MS4
2. Counties - Medium, Phase I MS4
3. Municipal - Phase I MS4 -
4. SHA Phase I and Phase II MS4 (SHA areas within MS4 jurisdictions)
5. Counties - Phase II MS4

6. Municipal - Phase II MS4
7. State and Federal Lands Phase II MS4 Permittees under the NPDES General Permit
8. Industrial Property Owners (Part III, A)
9. New development (stormwater treatment off-site or offset program)

There are two potential payment models under consideration (there are many variations on these models TBD during JV/MOU development):

Conventional CIP: Capital cost for the retrofit project and ongoing maintenance costs (lump sum or compensated by fee reduction or maintenance credit) are paid upfront by the buyer. This results in a perpetual credit to the buyer. BMP verification of function and maintenance is required by the CBP and MDE every 3 years. The perpetual credit is contingent on this verification. Opti projects fit well in this model, final value required per credit to cover long-term costs is TBD.

Alternative Annual Credit Approach: This approach is not currently being used; however, it is a strong option for private property retrofits. The buyer purchases verified credits annually with no capital outlay and the owner does not have a long-term obligation to provide credits. Although, likely there would need to be a minimum 5 year initial obligation by both parties. If this approach can be implemented, it has less burden for both parties and might encourage more participation by all parties to participate given the lack of need for a long-term easement or deed restriction. The risk for the buyer is that credits may not be available or assured over the long term unless an aggregator participates and holds a contract with the buyer for a set quantity of credits that the aggregator then is contractually obligated to deliver.

Contractual Development

All three parties intend to enter into a Memorandum of Understanding (MOU) that outlines the program requirements, the remuneration to Walmart for access to its assets, Opti's role in the design and construction of retrofitting those assets, TNC's role in leveraging its networks for sale of credits, and any other obligations by all parties (including marketing, branding rights, etc...). Walmart will enter into an option agreement with a Joint Venture (JV) co-owned by Opti and TNC that will allow the JV to design and construct projects on Walmart assets if all conditions of the option agreement and MOU are met. The JV agreement between TNC and Opti will outline the construction, financing, and sale and payment mechanisms necessary to develop the projects and sell the water quality credits, and the respective roles and responsibilities of each party under the JV.

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 4/24/2018 3:19:05 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Lunch

Ken
[Ex. 6] I think about moving back there once I'm done here. However, I really love this area – so who knows. [Ex. 6]
[Ex. 6] In any case, we'll keep in touch on the stormwater stuff, and let me know when you're in Bentonville again.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Tuesday, April 24, 2018 10:12 AM
To: Rich Dailey
Subject: EXT: RE: Lunch

Rich:

I also enjoyed lunch and seeing the progress on the square. I will gladly keep an eye out for opportunity in the mid-atlantic area. [Ex. 6]
[Ex. 6]

See you soon.

Ken

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Thursday, April 19, 2018 8:33 AM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; ldsol.Anne@epa.gov
Subject: Lunch

Ken/Anne
I enjoyed having lunch yesterday and giving you the latest information on our stormwater project. And, you got to try one of Bentonville's very hip restaurants – we have tons more, so come back another time. When you guys came in [Ex. 6]
[Ex. 6] [Ex. 6]
[Ex. 6] Ken – I've attached a resume in case you hear of something that might align with my background. It's old and not the prettiest, but it gives an idea about my core strengths and functions. Not sure that I would make a move, but the right position might be enticing. Best,

Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone: Ex. 6 Fax 479-204-9675

rich.dailey@wal-mart.com

Walmart * Compliance

508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

Message

From: Birk, Eva [EBirk@nahb.org]
Sent: 3/28/2018 9:36:46 PM
To: Ex. 6
Subject: New Contact Info

Hello,

As many of you already know, I'm leaving NAHB and heading north to Augusta, Maine where I will manage environmental permitting and coastal resilience projects for U.S. DOT.

My new handle will be live April 15th: eva.birk@dot.gov.

Please keep in touch and have a great (hopefully warm) spring!

Kind regards,

Eva



EVA BIRK Program Manager, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: Ex. 6 e: EBirk@nahb.org w: nahb.org

We Build Communities



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Message

From: rjohnson@alcoalcoop.com [rjohnson@alcoalcoop.com]
Sent: 7/31/2018 7:38:02 PM
To: Clancy Johnson [Ex. 6]; Clara Kent [kent@cullmansavingsbank.com]; Cynthia Johnson [cajohnson@rjrmining.com]; Steve Fant [Ex. 6]; Alan Wood [awood@citizensbanktrust.com]; John Riley [riley@cullmansavingsbank.com]; Alex McCrary [Ex. 6]; Brown D [JOANNABR@southernco.com]; Brandon Hamilton [Brandon.Hamilton@asmc.alabama.gov]; Bob Hodge [Bob.Hodge@ihsmarkit.com]; Charles Mccrary [Ex. 6] rocky [Ex. 6]; Ashley Price [ashley@alabamaprinting.com]; Hoyt Price [Hoyt@alabamaprinting.com]; Hank Rutledge [hrutledge@alcoalcoop.com]; Jim Heilbron [HEILBRON@southernco.com]; Jim Phillips [Ex. 6]; Jennifer Smith [jjs@dlhcpa.com]; Yellowhammer News [yhn@yellowhammernews.com]; Katie Britt [Katie_Britt@shelby.senate.gov]; Tammy Songer [Ex. 6]; Tony Reed [TAREED@southernco.com]; Heather Locklar [Heather.Locklar@warrenaverett.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Dale Greer [daleg@cullmaneda.org]; Jr. Padilla [ALPADILL@southernco.com]; Pamela Stiefel [Pamela.Stiefel@asmc.alabama.gov]; Lance LeFleur [llefleur@adem.alabama.gov]; Lauren Williams [Lauren.Williams@ihsmarkit.com]; George Barber [george@alcoal.com]; Twinkle Cavanaugh [Ex. 6]; Quinlan Lehe [qvon@buettnerbros.com]
Subject: [FWD: An Alabama Coal Mine That Credits Trump for Its Revival - The Atlantic]

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

Subject: An Alabama Coal Mine That Credits Trump for Its Revival - The Atlantic

From: Patrick Cagle <[Ex. 6]>

Date: Tue, July 31, 2018 9:17 am

To: Randy Johnson <rjohnson@alcoalcoop.com>, Chris Arnold <carnold@alcoalcoop.com>, Britnee McGraw <bmcgraw@alcoalcoop.com>

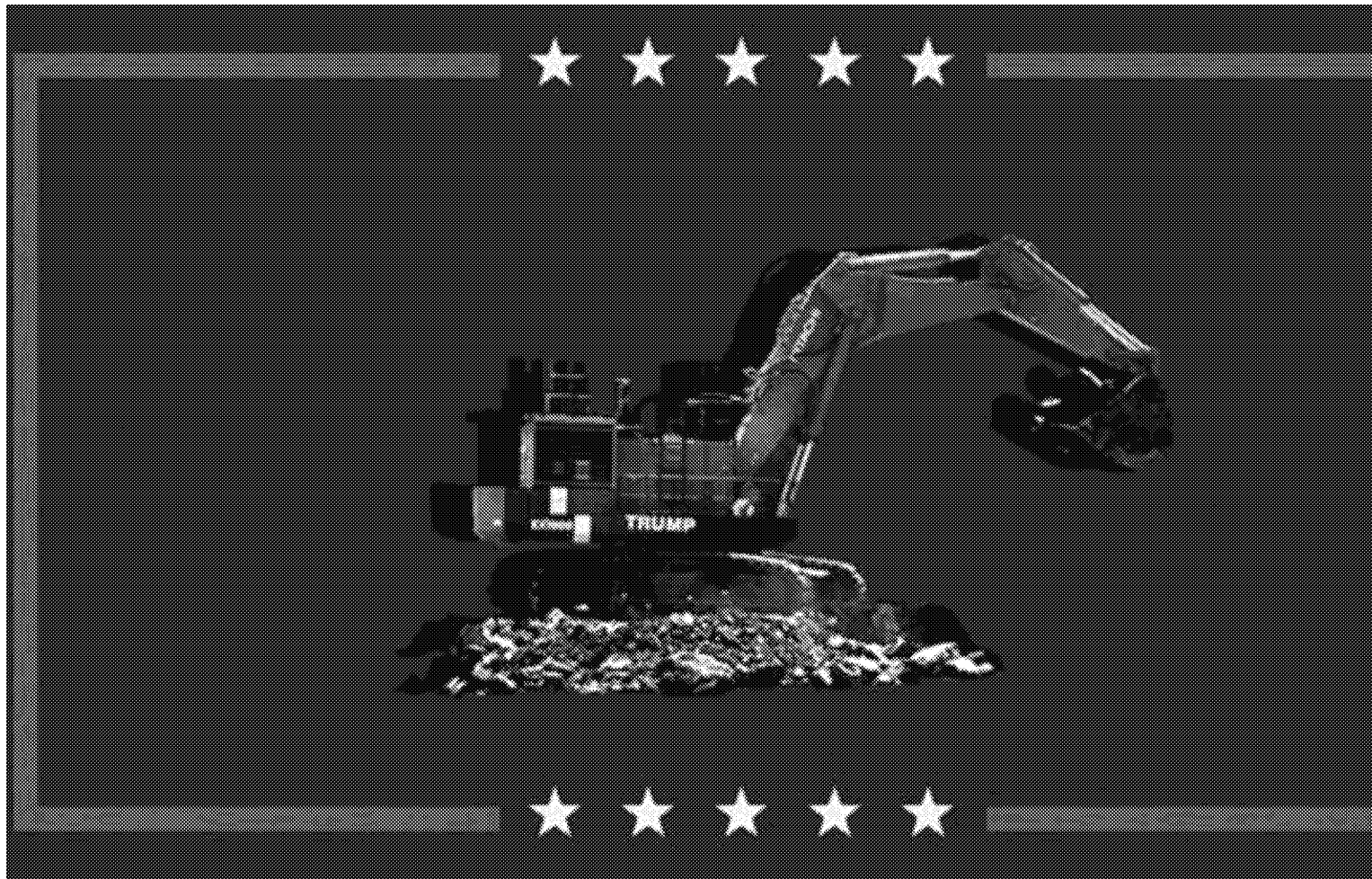
https://www.theatlantic.com/amp/article/566282/?_twitter_impression=true

Hope and Change in an Alabama Coal Mine

Buoyed by President Trump's support for the industry, a veteran miner is putting his cash on the line and reopening his business.

- [Elaina Plott](#) 7:00 AM ET

[The Atlantic](#)



Alabama Coal Association / Katie Martin / The Atlantic

BESSEMER, Ala.—It was hulking, it was orange, and its name was Trump.

Randy Johnson looked on as his new 220-ton excavator carved up the ground, clearing the field of rocks to help unearth the coal underneath. Four weeks earlier, the central Alabama mine’s 22 employees had gathered to christen the \$2.7 million purchase, painting “TRUMP” in white block letters along the excavator’s side. The day I visited, a recent Friday in July, those letters gleamed under the punishing Southern sun, the machine’s every move—every swivel at the base, every curl of the claw—an implicit tribute to the 45th president.

It’s tradition in the mining industry to name the “big machines.” Apart from the land itself, they represent the bulk of capital for a new site. For Johnson, though, this excavator was emblematic of much more. The 71-year-old Alabama native and mining veteran had bowed out of the industry in 2014, when he says the Obama administration’s “war on coal” pummeled the market. But with Donald Trump’s election came a wave of “optimism,” he told me: optimism that the crush of regulations would ebb, that the “dirty” caricatures of the industry, aggravated by Obama, would start to soften. So at the turn of the year, when he learned of an idle reserve in Bessemer, Johnson reopened his company, called one of his old foremen, and made the largest investment of his career.

That Friday morning, the mine’s 491 acres hummed. Trump (the excavator), two track hoes, and eight dump trucks were at work on the land’s first seam—or layer—of largely steam coal. “We’re starting small,” Johnson told me. He anticipates beginning with 20,000 or so tons a month, which would

provide a cash flow that would allow him to break even by fall. It's a modest forecast, and Johnson admitted that he has no long-term contracts yet to anchor the operation, save for existing contracts through the state's coal co-op. But he's confident the market will continue to reflect Trump's favor of the industry. While the majority of the administration's regulatory rollbacks remain steeped in litigation, the expectation that no *new* rules are likely to come has kept the mood here high.

"I've been doing this a long time, and I have a good feeling," Johnson told me that morning. "I promise you it was Obama's goal, and would have been Hillary Clinton's goal, to dismantle the coal industry in Alabama." He turned to his 56-year-old business partner, Mel Bailey. "Mel, if Hillary Clinton had been elected, would we have done this?"

"No," Bailey said. "It wouldn't have happened."

There are many reasons to be skeptical of Johnson's gamble. Natural gas continues to flow cheaply, meaning Trump may not be ending the war on coal so much as putting it off for the time being. This seemed especially true last month, when the administration proposed keeping struggling coal plants afloat by forcing energy-grid operators to purchase from those plants, citing reasons of "national security." For many conservatives, the proposed move was reminiscent of Barack Obama's massive 2010 loan to Solyndra, the solar-panel startup whose swift bankruptcy left taxpayers footing the bill—which is to say it signaled the harm that can come with government intervention in a resistant market. It was telling that just as Trump's proposal came to light, Republicans like West Virginia Senator Shelley Moore Capito were touting the promises of natural gas.

Rick Perry Wants to Bail Out the Coal Industry

Yet prudent or not, Johnson's reentry into coal mining reflects a Trump-sparked enthusiasm rippling through many small industrial towns. For voters like Johnson, the president's friendly posture toward the industry is a promise from the campaign trail made good—much like his withdrawal from the Paris climate accord, for instance, and his nominations of conservative justices to the Supreme Court. It's the kind of follow-through that enlivens a political base, encouraging voter turnout in midterm elections and beyond. Republicans may privately wince at Trump's proposed interventions in the industry, but if they believe their mining constituencies should temper their optimism, they certainly aren't saying as much.

Johnson's gamble may be rooted largely in faith: faith in regulatory rollbacks to come, faith that the market will only get better under this president's watch. But the Trump administration's support of coal isn't just rhetoric either. Apart from proposing the new coal-buying quotas for energy-grid operators, Trump has eliminated the Stream Protection Rule. The law, intended to protect waterways from coal-mining waste, was considered one of the key environmental measures of the Obama era. The regulation sparked massive backlash across the industry; water treatment is expensive, and the rule promised to slow down an already convoluted approval process for land permits. In February 2017, as one of the first acts of his presidency, Trump signed a bill undoing the law entirely.

It's the elimination of such regulations that has helped turn miners like Johnson more bullish about reentering the industry. "We know you 'get it' and you love America and coal miners," Johnson wrote recently in a letter to the White House. "Keep fighting for us and we will stand with you."

In 1990, Johnson helped found the Alabama Coal Co-op, which allows smaller mines like his to pool their coal reserves and compete against the major ones. In the decades before, the state's mining industry had enjoyed a healthy run, in large part because of the gargantuan presence of U.S. Steel in Birmingham. Even as the local steel industry receded in the mid-1990s, international demand for coal remained high.

Demand fluctuated by the early aughts. And that was normal: Energy markets, especially for the kind of coal used to make steel, have long been unpredictable. But demand for thermal, or steam, coal—used to generate electricity—took a decided hit during the Obama era.

The reason why depends on who you ask. Johnson and others in the coal community argue demand diminished not because mining companies couldn't compete with natural gas, but because, given the onslaught of new regulations—including carbon-emission controls under the Clean Power Plan—they essentially weren't allowed to. Ultimately, the reason for thermal coal's decline is likely a combination of the two. Under the Clean Power Plan's emission standards, power plants were pressured to look to renewable energy sources and natural gas. And with natural gas cheaper than ever, state public-utility commissions were more willing to acquiesce to those standards, rather than challenge them. So plants across the country began taking their coal units offline.

Between 2008 and 2017, according to the U.S. Energy Information Administration, the number of coal mines across the country decreased by roughly half. Between 2012 and 2017, miner labor hours declined 39 percent.

Hardest hit were people like Barry Chambers: longtime private contractors who relied on mines for income. Chambers, who's based in Fairview, Alabama, told me he enjoyed steady work for three different coal companies before the Obama era. He administered ground control and water control, engineered catch ponds, and even contracted some mining work from the companies looking to open new fields. "The Obama administration just killed me," he said. "It started to where they couldn't afford to use me no more as a private contractor, and then eventually they shut down altogether."

At age 58, Chambers found himself out of work and over a million dollars in debt. He sold all of his equipment. "My wife got a real good job," he said, which helped pay the bills. When some of their property burned, they remodeled it themselves. Everything was done, he said, in the service of getting out of debt "without filing bankruptcy."

Chambers was giddy, then, when he learned the Bessemer mine, known as Shannon, was reopening. "I knew several of them working here," he said. He started making phone calls. Within days, Johnson hired him as assistant foreman. The plan is to have him take over some of the operations as the mine reaches its second, third, and fourth seams. "I've been here three weeks now," Chambers told me. "I thank him every day I see him."

Johnson brought back another longtime partner, Eddie House, as foreman. When Johnson's company cratered in 2014, the now-58-year-old House became self-employed, building farms, leveling pads for chicken houses, and baling hay. It was "pretty steady," said House, the leathered skin on his arms a badge of decades of work in the sun. But like a lot of out-of-work miners, he couldn't afford health insurance on the federal exchange, a precarious reality for a life spent around big machines. The

promise of BlueCross BlueShield from Johnson was a draw, House told me. “But I guess it was mostly just cause I like mining,” he explained. “These are good folks who work hard.”

Since Shannon reopened, distributors and manufacturers across Jefferson County have felt the residual boom. Johnson relies on local dealers for everything from tires and explosives to fuel. Even a Coca-Cola or a fresh pack of nicotine gum (which Johnson chews incessantly): With 20-plus new customers swinging by the Marathon gas station near the mine’s entrance each morning, store clerks are “tickled to death we’re coming through here,” Bailey told me.

“Nothing here comes from Amazon,” Alabama Coal Association President Patrick Cagle told me when I visited the mine, gesturing at the machines scattered across it.

“Coal mining was our lifeblood,” explained Tim Ellis, the manager of GCR Tires near Bessemer, when I reached him by phone. “The day Trump got elected, the mines didn’t open the next morning, but the positivity, the optimism that things would get better—it’s just grown, and it’s really helped us financially. It greatly impacts our autonomy.

“If it had gone the other way with Mrs. Hillary,” he added, “I just don’t know what would’ve happened.”

In the months that Shannon has been open, Ellis has sold Johnson several rock-truck tires and loader tires that go for over \$11,000 a pop. “When [Johnson] started talking about opening up, we knew it was an opportunity,” Ellis told me. “So it was exciting when we got the news that they’d opened an account with us. It was a big win.”

Ellis said he’s seen a 15 percent to 20 percent increase in sales volume in the last year, and a roughly 10 percent increase in the last month alone. “As this has progressed, I’ve hired two more people,” he said, one of whom had been a mechanic at a local dealership, and the other an entry-level worker just out of school. “I’d love to hire more.”

During the Obama years, Ellis said, “we were watching our hours,” trying to squeeze more productivity from fewer workers. There were few opportunities for overtime pay: “We want overtime, and in the last year, we’ve seen more overtime.” For Ellis, that means more opportunities for vacation with his two 6-year-old grandchildren: In May, he and his wife took them to Disney World for five days. And the week after we spoke, he and his wife were headed down to Gulf Shores for their own trip. “It’s all just allowed for a little extra money,” he told me, “and it goes a long way.”

Everyone I spoke to for this story, whether at the mine itself or within local businesses, seemed to express sincere excitement about voting in November’s midterm elections. That they’ll vote for Republicans is largely unsurprising—it’s Alabama, after all. But their enthusiasm may signal higher-than-usual turnout for a midterm election in the region.

“For this area, when you see you’ve elected someone who cares about our industry, it makes you want to get out there in November,” Ellis said. “You don’t have to encourage people around here to vote right now.”

“It was sad, the small percentage that would come out and go to the polls,” Chambers added. “But I’ve tried my best to exercise my right to vote.”

Johnson chimed in: “If you don’t vote,” he said with a chuckle, “you can’t bitch.”

It's a vote, in their view, for the revival of their industry. Yet not lost on them is the chance that Trump could also seal its demise. Earlier this year, Trump announced a 25 percent tariff on steel imports from countries including China and Japan. In the months since, Japan, among others, has signaled its intention to impose retaliatory tariffs against the United States should Trump fail to exempt them.

Tariffs Once Tore the GOP Apart—and May Be Doing So Again

This matters for a mine even as relatively small as Johnson's. Shannon's third seam consists of metallurgical coal, for steel-making. As of now, Johnson plans to mine that seam, wash the coal, and send it to Mobile, where it will be shipped to Japan. For a small, newly reopened company looking to make good on its loans, a retaliatory tariff on steel could be devastating.

"I think steel is gonna stay a global issue," Cagle, the Alabama Coal Association president, told me.

"It's kind of a wait-and-see moment right now. It's still not clear what will happen."

But Johnson holds out hope that Trump has the industry's interest at top of mind. In his view, the threat of retaliatory tariffs aside, the president's commitment to "fair trade" is a good thing. "It's not right for us to lose money to foreign countries. At some point in time in the future, it's gonna be over for us," he said. "They're gonna have all the money, they're gonna own everything, and we're gonna be speaking Chinese or Spanish or whatever you wanna call it."

"If we can get some steel companies coming back ..." he began. His voice trailed off, as though for all the optimism coursing through this town, the thought of steel companies returning might still be a touch too much.

What matters to him now, and even if it's only just for now, is that he, Bailey, House, and others are back in business. Coal may no longer be king, but at least, under Trump, it's no longer banned from the party.

Before leaving the mine that day, Johnson, wearing a hard hat and reflective vest, stole a last look at the excavator. "I'm planning on getting another machine," he'd later tell me. If all goes well, he'll buy a Hitachi 3600—roughly 395 tons. "If I can get that big one," he said with a grin, "I might name it 'Melania.'"

Sent from my iPhone

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 4/19/2018 12:32:38 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; ldsol.Anne@epa.gov
Subject: Lunch
Attachments: Rich Dailey Resume Walmart Corp Copy.pdf

Ken/Anne

I enjoyed having lunch yesterday and giving you the latest information on our stormwater project. And, you got to try one of Bentonville's very hip restaurants – we have tons more, so come back another time. When you guys came in I

Ex. 6

Ex. 6

Ex. 6 Ken – I've attached a resume in case you hear of something that might align with my background. It's old and not the prettiest, but it gives an idea about my core strengths and functions. Not sure that I would make a move, but the right position might be enticing. Best,
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: Ex. 6 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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RICHARD L. DAILEY

Ex. 6
Bentonville, AR Ex. 6

Ex. 6

Ex. 6

Ex. 6

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 4/6/2018 3:42:31 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Smart Sectors Meeting 4/10
Attachments: TNC_WM_Opti Bay Program Synopsis_Final.pdf

Ken

I think I let you know that I'm meeting with Nena and Daisy next Tuesday at 1:00. My recollection is that you are out of town that day but, if your plans have changed, maybe you could sit in or possibly we could get together later. One of the things I'll discuss with Smart Sectors is a joint project we have with The Nature Conservancy and Opti (one of our contractors) about using our stormwater ponds to improve water quality. We are also working with EPA Region III on this and I'm meeting with the RA next Thursday to discuss implementation in the Chesapeake Bay watershed. I think this has nationwide potential – I've attached a brief description. Finally, I hope all is well with you – DC can be a very tough town and having your good friend go through all this has to be difficult. As a fairly liberal Democrat, while I don't agree with everything you guys are doing, I absolutely believe that the agency inevitably moves too far left and needs to be recalibrated from time to time. I wish you the best.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: [] Ex. 6 [] Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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Prospective Project Development in the Chesapeake Bay

Walmart, Opti and The Nature Conservancy intend to jointly work to design and install water quality retrofits on existing Walmart stormwater assets in the Chesapeake Bay watershed to improve its water quality. The partners seek to fund these installations through the sale of the resulting water quality credits to prospective public buyers. The environmental management plan for the Chesapeake Bay—North America’s largest estuary—has set precedents in policy, science, and implementation for other large water bodies around the world. The EPA-sanctioned “pollution diet” for the Chesapeake is the largest and most complex ever in the U.S. If this work in the Bay is successful, the partners would look to scale the collaboration nationally.

Walmart: Walmart owns thousands of stormwater ponds throughout the US and wants to lead the retail and private sector in sustainable and innovative environmental management. Walmart has a strong interest in achieving measurable and valuable environmental benefits from the use of existing built stormwater assets while also lowering operational costs through stormwater fee or maintenance offsets and/or other payment for use. This initiative demonstrates our corporate commitment to address climate change, advance Clean Water Act compliance, and work closely with the communities we serve.

TNC/NatureVest: The Nature Conservancy has been focused on improving water quality in the Bay for decades. While agriculture remains the largest contributing source of pollution to the Bay, progress is being made. Stormwater runoff—the second largest and fastest growing source of pollution here and globally—is especially vexing, and the costs associated with traditional stormwater management have created financing and political concerns. Few efforts have the potential to be truly scalable; and TNC believes the Opti approach for utilizing existing assets provides a significant opportunity to achieve measurable and meaningful results. The Bay is also a strong launching point for this type of program, as it is a bellwether for how conservation efforts proceed in the US. TNC is excited to have a potential partner like Walmart be the initial pioneer and catalyst in this type of effort. As the world’s largest retailer, its leadership influences the entire sector. TNC will finance the design and construction of these projects and will leverage their network to assist in publicizing this effort and attracting credit buyers.

Opti: Opti’s intent is to accelerate the pace of cleanup of the Bay and adoption of CMAC retrofits and present an alternative to the traditional public Design->Bid->Build process to obtain treated acre or greened acre credits. Opti will leverage our technology and Chesapeake Bay water quality approvals to identify, design, and build projects on Walmart properties that will receive treated acre credits that will then be salable to communities and agencies that need to meet MS4 and TMDL retrofit targets.

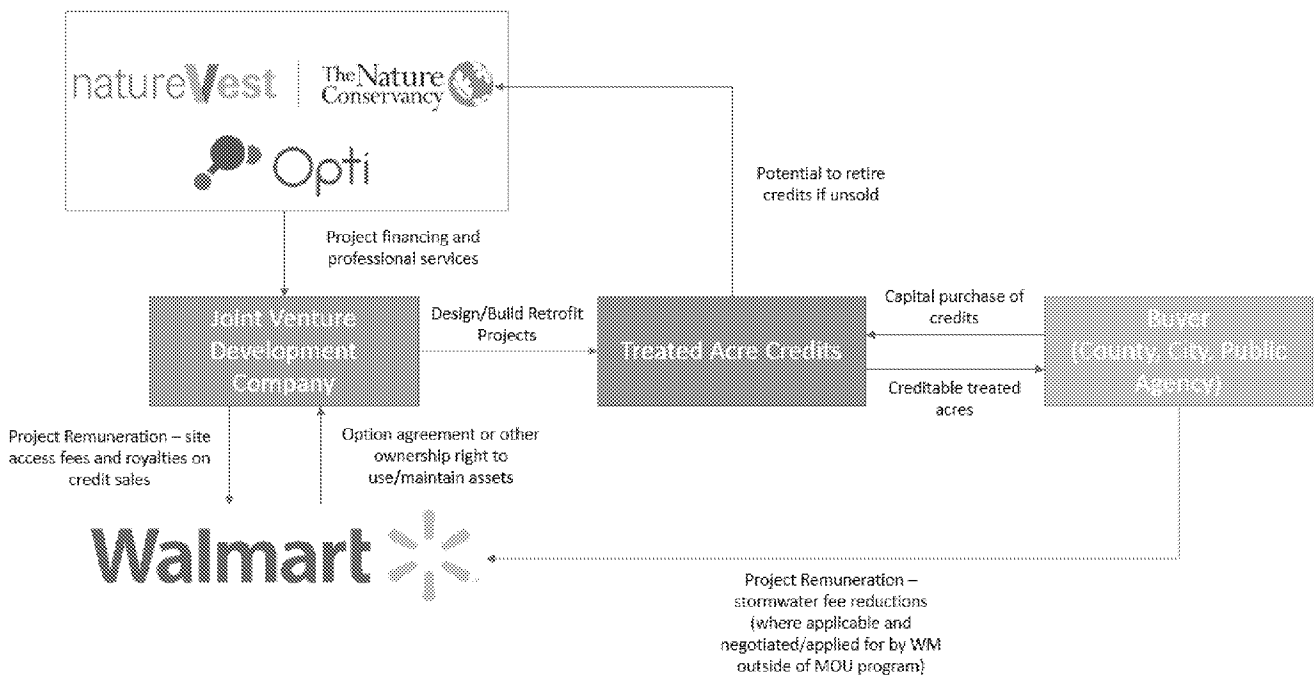


Figure 1: Overview of Project Model Flow

Quantified Opportunity

An initial assessment of Walmart assets in the Bay boundary was conducted to quantify the opportunity. Initial results are shown in the tables and figure below:

Table 1. Potential Credit and Pollutant Removal Summary for Walmart Assets

	# of Ponds	Estimated Imp. Drainage Area	Potential Credits - Low	Potential Credits - High	Estimated TSS removal / year (tons)	Estimated TP removal / year (lbs)	Estimated N removal / year (lbs)
Bay-wide Wet Ponds	52	400	200	280	75	280	2500
Bay-wide Dry Ponds	97	720	360	720	135	504	4500
Totals	149	1120	560	1000	210	784	7000
Estimated credit value based on PG County Benchmark (\$50,000/acre)			\$28,000,000	\$50,000,000			

*Bay-wide Wet Ponds (11 MD; 34 VA; 4 DE; 2 NY; 1 WV); Bay-wide Dry Ponds (16 MD; 44 VA; 2 NY; 1 WV; 34 PA)

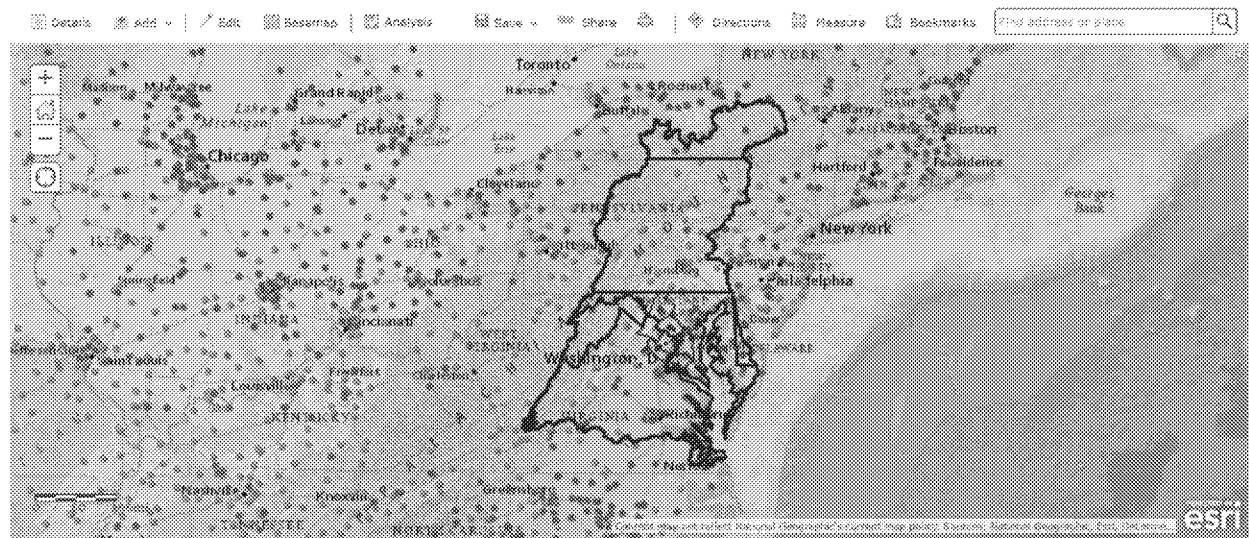


Figure 2: Supply map for Walmart Ponds in Bay Watershed

Purchasing Power

Typically, there are dedicated funding streams used to plan, design, bid, and build retrofits. The revenue streams are well supported in most cases through stormwater specific fees. Opti has databases of SW related funding streams for Bay communities and suggests targeting the following buyers in this order for purchase of water quality credits.

Potential Buyers

1. Counties - Large, Phase I MS4
2. Counties - Medium, Phase I MS4
3. Municipal - Phase I MS4 -
4. SHA Phase I and Phase II MS4 (SHA areas within MS4 jurisdictions)
5. Counties - Phase II MS4

6. Municipal - Phase II MS4
7. State and Federal Lands Phase II MS4 Permittees under the NPDES General Permit
8. Industrial Property Owners (Part III, A)
9. New development (stormwater treatment off-site or offset program)

There are two potential payment models under consideration (there are many variations on these models TBD during JV/MOU development):

Conventional CIP: Capital cost for the retrofit project and ongoing maintenance costs (lump sum or compensated by fee reduction or maintenance credit) are paid upfront by the buyer. This results in a perpetual credit to the buyer. BMP verification of function and maintenance is required by the CBP and MDE every 3 years. The perpetual credit is contingent on this verification. Opti projects fit well in this model, final value required per credit to cover long-term costs is TBD.

Alternative Annual Credit Approach: This approach is not currently being used; however, it is a strong option for private property retrofits. The buyer purchases verified credits annually with no capital outlay and the owner does not have a long-term obligation to provide credits. Although, likely there would need to be a minimum 5 year initial obligation by both parties. If this approach can be implemented, it has less burden for both parties and might encourage more participation by all parties to participate given the lack of need for a long-term easement or deed restriction. The risk for the buyer is that credits may not be available or assured over the long term unless an aggregator participates and holds a contract with the buyer for a set quantity of credits that the aggregator then is contractually obligated to deliver.

Contractual Development

All three parties intend to enter into a Memorandum of Understanding (MOU) that outlines the program requirements, the remuneration to Walmart for access to its assets, Opti's role in the design and construction of retrofitting those assets, TNC's role in leveraging its networks for sale of credits, and any other obligations by all parties (including marketing, branding rights, etc...). Walmart will enter into an option agreement with a Joint Venture (JV) co-owned by Opti and TNC that will allow the JV to design and construct projects on Walmart assets if all conditions of the option agreement and MOU are met. The JV agreement between TNC and Opti will outline the construction, financing, and sale and payment mechanisms necessary to develop the projects and sell the water quality credits, and the respective roles and responsibilities of each party under the JV.

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 2/15/2018 7:02:03 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Tom Davis [Ex. 6]
Subject: RE: Roundtable April 12

Thanks Daisy – see you next Wednesday.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Thursday, February 15, 2018 11:11 AM
To: Rich Dailey; Wagner, Kenneth
Cc: Tom Davis
Subject: EXT: RE: Roundtable April 12

Thanks for making the connection, Ken! Yes, Rich I will be there for the meeting next week. I will be available on the 12th for the roundtable and would be happy to discuss the Smart Sectors program.

Daisy C. Letendre
Letendre.Daisy@epa.gov

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Tuesday, February 13, 2018 12:36 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>
Cc: Tom Davis [Ex. 6]
Subject: RE: Roundtable April 12

Ken
Thanks for making the connection – we'll see each other again at some point. Daisy – I think Nena included you on a planner for 2/21 – we're meeting to discuss Smart Sectors and Retail, and for me to let you guys know about some other projects EPA projects we have going on. Also, I've included Tom Davis on this – Tom is Executive Director of the Roundtable and will provide more information.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance

Phone: **Ex. 6** Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Tuesday, February 13, 2018 10:15 AM
To: Rich Dailey; Letendre, Daisy
Subject: EXT: Re: Roundtable April 12

Rich: I have copied Daisy Letendre who leads our Smart Sectors program and is very interested in speaking with your group. I'm sorry I will miss this time!

Daisy will be great!

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 Feb 6, 2018, at 9:21 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
Do you think you'll be able to speak the morning of the 12th?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: **Ex. 6** Fax 479-204-9675
rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: Letendre, Daisy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B691CCCCA6264AE09DF7054C7F1019CB-LETENDRE, D]
Sent: 2/15/2018 5:10:45 PM
To: Rich Dailey [Rich.Dailey@walmart.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Tom Davis [Ex. 6]
Subject: RE: Roundtable April 12

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Daisy C. Letendre

Letendre.Daisy@epa.gov

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Tuesday, February 13, 2018 12:36 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>
Cc: Tom Davis [Ex. 6]
Subject: RE: Roundtable April 12

Ken
Thanks for making the connection – we'll see each other again at some point. Daisy – I think Nena included you on a planner for 2/21 – we're meeting to discuss Smart Sectors and Retail, and for me to let you guys know about some other projects EPA projects we have going on. Also, I've included Tom Davis on this – Tom is Executive Director of the Roundtable and will provide more information.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Tuesday, February 13, 2018 10:15 AM
To: Rich Dailey; Letendre, Daisy
Subject: EXT: Re: Roundtable April 12

Rich: I have copied Daisy Letendre who leads our Smart Sectors program and is very interested in speaking with your group. I'm sorry I will miss this time!

Daisy will be great!

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 Feb 6, 2018, at 9:21 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Do you think you'll be able to speak the morning of the 12th?

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone **Ex. 6** Fax 479-204-9675

rich.dailey@wal-mart.com

Walmart ✨ Compliance

508 SW 8th Street

Bentonville, AR 72716-0505

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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 2/15/2018 1:58:13 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Automatic reply: Roundtable April 12

I am out of the office until 2/22 and email response may be delayed. Please contact Toni McCrory Ex. 6 or Mark Goldsmith Ex. 6 if you need immediate assistance.

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 4/7/2017 1:55:54 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Automatic reply: ECOS meeting

I am out of the office until 4/12 with limited phone and email access. Please call Ryan Hicks [Ex. 6], Toni McCrory [Ex. 6], [Ex. 6], or Mark Goldsmith [Ex. 6] for urgent issues. You can try my cell at [Ex. 6] as well.

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 2/12/2018 1:33:02 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Topics for Roundtable: Update on Cooperative Federalism; maybe someone from Smart Sectors

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone Fax 479-204-9675
rich.dailey@wal-mart.com

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508 SW 8th Street
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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 2/1/2018 3:24:34 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: EHS Roundtable

That's our morning session, 8-12 and then we're done. Love to hear from you if you can make it.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone Fax 479-204-9675
rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, February 01, 2018 9:17 AM
To: Rich Dailey
Subject: EXT: Re: EHS Roundtable

So I am speaking in Kansas City on the 11th for MECC, not sure of my whereabouts on the 12th yet. What is the schedule for that day?

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
U S Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC. 20460
office: (202) 564-1988
cell:
email: wagner.kenneth@epa.gov

This email is for official EPA business only and is subject to disclosure under the Freedom of information Act

On Feb 1, 2018, at 7:56 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
We have a Roundtable meeting April 11-12. Would you be able to give us an update on Federal/State interaction? Hope all is well.
Rich

Sent from my iPhone

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 2/8/2018 10:13:35 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Roundtable April 12

Let me think and get with some of the other folks and will let you know tomorrow.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: **Ex. 6** Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, February 08, 2018 4:12 PM
To: Rich Dailey
Subject: EXT: Re: Roundtable April 12

What topic would be a good focus?

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 Feb 8, 2018, at 5:11 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

That would be great – thanks.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: **Ex. 6** Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, February 08, 2018 4:10 PM

To: Rich Dailey
Subject: EXT: Re: Roundtable April 12

Mexico....The Administrator is the Chair of the Gulf Coast Economic Restoration Council that administers the BP settlement funds to the states and I am his designate on the council

I can see if I can get you another speaker

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

On Feb 8, 2018, at 5:05 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok – thanks for getting back to me. Persian Gulf, Gulf of Mexico?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 4 [redacted] Ex. 6 [redacted] Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, February 08, 2018 4:04 PM
To: Rich Dailey
Subject: EXT: Re: Roundtable April 12

Rich...sorry for the delay. I am going to be headed to the Gulf after the 11th so I will not be in DC.

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

On Feb 8, 2018, at 5:01 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance

Phone: [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Rich Dailey
Sent: Tuesday, February 06, 2018 8:21 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Roundtable April 12

Ken
Do you think you'll be able to speak the morning of the 12th?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone: [Ex. 6] Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: CW McGehee [cw@mcgehee.org]
Sent: 7/20/2018 4:04:10 PM
To: rjohnson@alcoalcoop.com; 'Alan Wood' [awood@citizensbanktrust.com]; 'Alex McCrary' [Ex. 6]; 'Ashley Price' [ashley@alabamaprinting.com]; 'Greg Arndt' [arndt@cullmansavingsbank.com]; 'Jr. Padilla' [ALPADILL@southernco.com]; 'George Barber' [george@alcoal.com]; 'Hank Rutledge' [hrutledge@alcoalcoop.com]; 'Hoyt Price' [Hoyt@alabamaprinting.com]; 'Kellie Bowman' [kbowman@alcoalcoop.com]; 'Pamela Stiefel' [Pamela.Stiefel@asmc.alabama.gov]; 'Patty Tice' [patty@alcoal.com]; 'Robbie Camp' [robbie@alabamaprinting.com]; 'Brown D' [JOANNABR@southernco.com]; 'Carolyn Childers' [cchilders@drummondco.com]; 'Chad Hewitt' [CSHewitt@southernco.com]; 'Charles Mccrary' [Ex. 6]; 'Christine Roberson' [Ex. 6]; 'Clancy Johnson' [Ex. 6]; 'Dale Greer' [daleg@cullmaneda.org]; 'Dawn Owens' [dawnowens@linkingcullman.org]; 'Quinlan Lehe' [qvon@buettnerbros.com]; 'Freddy Hunt' [freddyh@msrequipment.com]; 'Wesley Britt' [WTBRITT@SOUTHERNCO.COM]; 'Heather Locklar' [Heather.Locklar@warrenavereit.com]; kim.young1@wellsfargo.com; 'Diane Brown' [Ex. 6]; 'Gwen Parker' [gparker@PeoplesBankAL.com]; 'Lawrence Sides' [Lsides@drummondco.com]; 'Matt Townson' [townson@cullmansavingsbank.com]; 'Pam Gunter' [PGunter@twinpinescoal.com]; 'Sean Ross' [sean@twinkleforalabama.com]; 'Tina Warner' [Ex. 6]; 'Twinkle Cavanaugh' [Ex. 6]; 'Yellowhammer News' [yhn@yellowhammernews.com]; 'Zeke Smith' [ZWSMITH@southernco.com]; 'John Riley' [riley@cullmansavingsbank.com]; 'Mackenzie Rockco' [rockco@cullmansavingsbank.com]; 'Randy Nelson' [Ex. 6]; 'Rita Bailey' [rbailey@cullmanal.gov]; 'robert schneid' [Ex. 6]; 'Cynthia Johnson' [cajohnson@rjrmining.com]; 'rocky' [Ex. 6]; 'Clara Kent' [kent@cullmansavingsbank.com]; 'David Muncher' [DMuncher@drummondco.com]; 'Jennifer Smith' [jjs@dlhcpa.com]; 'JENNIFER SPEER' [Ex. 6]; 'Jim Heilbron' [HEILBRON@southernco.com]; 'Jim Phillips' [Ex. 6]; 'Julie Phillips' [julie@tanous.com]; 'Lydia Haynes' [Ex. 6]; 'Wagner, Kenneth' [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; 'Frank Fagg' [frank@foarchitects.com]; 'Tammy Songer' [Ex. 6]; 'T'aira Ugarkovich' [ugarkovich@cullmansavingsbank.com]; 'Stuart Nelson' [Stuart.Nelson@tscg.com]
Subject: RE: Landon Chase Hunt
Attachments: ATT00001.txt

All,

I spoke with Freddy last night and he ask that I relay this message to all of the Hunt Family's loved ones, friends and associates. Freddy wishes to thank each and every one of you for your prayers, love and support through this time.

In lieu of flowers and as an expression of our love and sympathy for the Hunt Family and in memory of our buddy Chase, memorial contributions may be presented in honor of **Landon Chase Hunt** at Glory Fellowship Baptist Church at the time of the visitation (Saturday, 5:00 pm) or the Funeral Service (Sunday, 2:00 pm). Contribution envelopes and a memorial contribution box will be provided at the Church.

Memorial contributions may also be mailed to:

Glory Fellowship Baptist Church
175 Cordova Cut Off Rd
Jasper, Alabama 35501.

Thank you,

C. W. McGehee, P.E.

McGehee Engineering Corp.

P. O. Box 3431

Jasper, Alabama 35502

Telephone: (205) 221-0686

Cell: **Ex. 6**

Fax: (205) 221-7721

Email: cw@mcgehee.org



Message

From: rjohnson@alcoalcoop.com [rjohnson@alcoalcoop.com]
Sent: 11/10/2017 3:43:59 PM
To: Heather Locklar [Heather.Locklar@warrenaverett.com]; Hoyt Price [Hoyt@alabamaprinting.com]; Jim Heilbron [HEILBRON@southernco.com]; Megan Henry [henry@cullmansavingsbank.com]; Ashley Price [ashley@alabamaprinting.com]; Brown D [JOANNABR@southernco.com]; Chad Hewitt [CSHewitt@southernco.com]; Chris Arnold [carnold@alcoalcoop.com]; Christine Roberson [Ex. 6]; Cynthia Johnson [cajohnson@rjmining.com]; Frank Fagg [frank@foarchitects.com]; Freddy Hunt [freddyh@msrequirements.com]; Jennifer Smith [jjs@dlhcpa.com]; Jim Phillips [Ex. 6]; John Riley [riley@cullmansavingsbank.com]; Jr. Padilla [ALPADILL@southernco.com]; Julie Phillips [julie@tanous.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Lydia Haynes [Ex. 6]; Quinlan Lehe [qvon@buettnerbros.com]; Julie Jennings [julie@cullmanspine.com]; Dale Greer [daleg@cullmaneda.org]; Dawn Owens [dawnowens@linkingcullman.org]; George Barber [Ex. 6]; Gwen Parker [gparker@PeoplesBankAL.com]
Subject: [FWD: Will Send Chills Thru You]

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

Subject: Fwd: Will Send Chills Thru You
From: Randy Nelson [Ex. 6]
Date: Thu, November 09, 2017 11:31 am
To: Randy Johnson [Ex. 6] Tom M Clark
[Ex. 6]

Sent from my iPhone

Begin forwarded message:

From: JOHN W PRUGH <prughj@bellsouth.net>
Date: November 8, 2017 at 5:42:51 PM CST
To: Floyd Liles <floyd.liles@southernfoodservice.com>, Bob Martin [Ex. 6], Pete Mistrot <imgolf@bellsouth.net>, Don Meyer <dmeyer@allenandbarbour.com>, Michael Trucks <trucksandtrucks@bellsouth.net>, Hunter Hinkle [Ex. 6], Russell Stone <russell@stoneavant.com>, Jackie Tucker [Ex. 6], Randy Fox <bonddog@bellsouth.net>, Terry Murphy [Ex. 6], Pete Painter [Ex. 6], Tony Brill <tony_brill@att.net>, Terry Fry [Ex. 6], Jerry Stewart [Ex. 6], Randy Rutter <randy.rutter@cmicoil.com>, Randy Nelson [Ex. 6]
Subject: Fw: Fwd: Will Send Chills Thru You
Reply-To: JOHN W PRUGH <prughj@bellsouth.net>

.....no attempt at humor here...just something worth passing along. J.

On Tuesday, November 7, 2017 11:49 PM, Lynne Schurga [Ex. 6] wrote:

Sent from Yahoo Mail for iPad

Begin forwarded message:

On Tuesday, November 7, 2017, 5:48 PM, Joan Rhyner Ex. 6 wrote:

Sent from my iPad

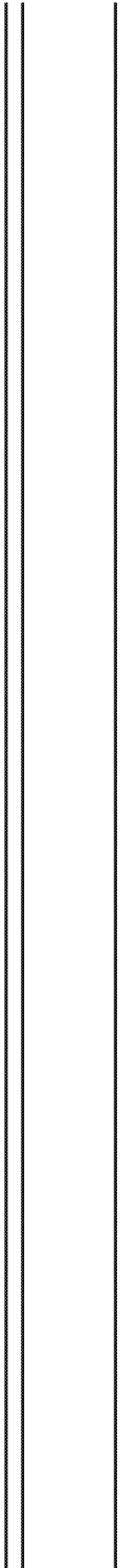
Begin forwarded message:

From: Shirley Wittman Ex. 6
Date: November 7, 2017 at 7:12:04 AM EST
To: gertpavlick@verizon.net
Subject: Fwd: Will Send Chills Thru You

Better than NFL
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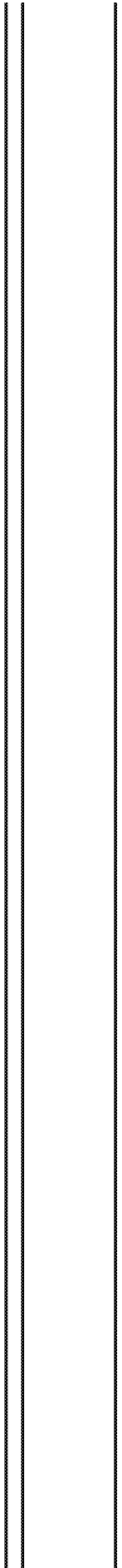


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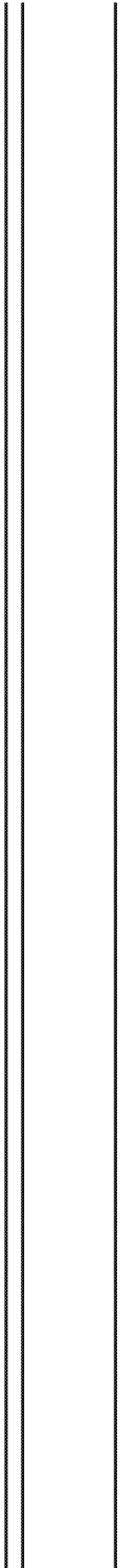


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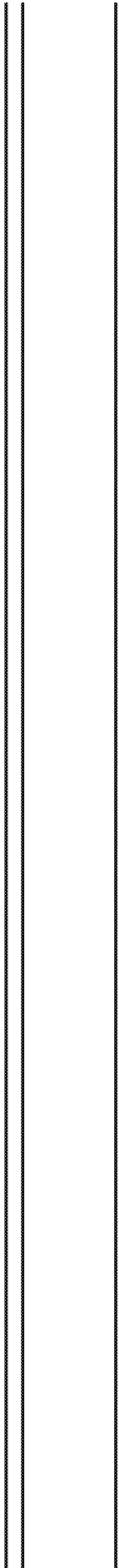
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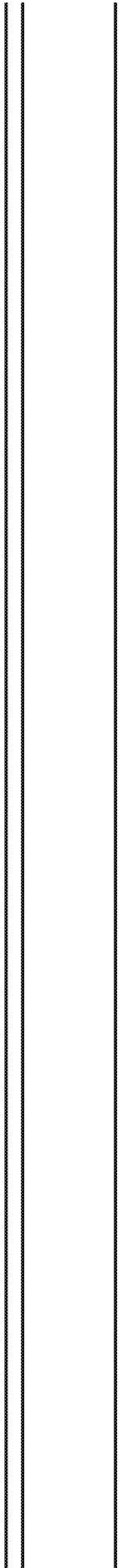
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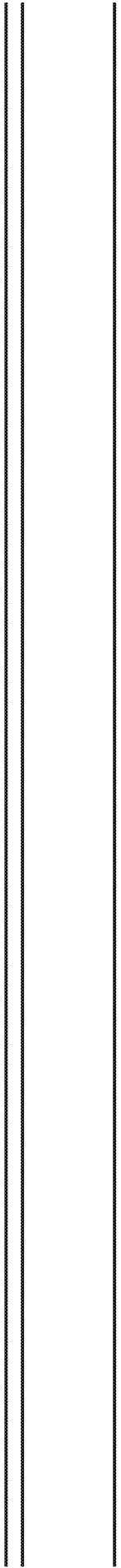
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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 11/9/2017 3:30:31 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Ken - please let me know where we will be meeting when you have a minute. Thanks.

45 should be fine. Looking forward to it.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, November 09, 2017 9:29 AM
To: Rich Dailey
Cc: Scott Fulton (fulton@eli.org); Cheatham-Strickland, Latonia
Subject: EXT: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Probably 45-50 minutes as we have a noon meeting that follows

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office

Ex. 6

wagner.kenneth@epa.gov

On Nov 9, 2017, at 10:23 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

I think we'll just be talking. I scheduled an hour – do you have that much time?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, November 09, 2017 9:21 AM
To: Rich Dailey
Cc: Scott Fulton (fulton@eli.org); Cheatham-Strickland, Latonia
Subject: EXT: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Great...it was the screen sharing that I was considering.

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

On Nov 9, 2017, at 10:18 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

WebEx allows screen-sharing but also has a simple telephone bridge. We can use your phone to call in to that. Shouldn't be a problem

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, November 09, 2017 9:14 AM
To: Rich Dailey
Cc: Scott Fulton (fulton@eli.org); Cheatham-Strickland, Latonia
Subject: EXT: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Not sure how webex works, so I have included my Special Assistant, Latonia on this to make sure we have what is needed. I have a conference phone at my conference table

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

wagner.kenneth@epa.gov

On Nov 9, 2017, at 9:48 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Thanks Ken – I've included a webex so my VP and one or two others can call in if they're available

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, November 09, 2017 8:34 AM
To: Rich Dailey
Cc: Scott Fulton (fulton@eli.org)
Subject: EXT: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Rich: come to the Federal Triangle entrance and go to the North side security and my room number is 3307 and my extension is 1988....I will come to get you once you have cleared

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office

Ex. 6

wagner.kenneth@epa.gov

On Nov 9, 2017, at 7:47 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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508 SW 8th Street

Bentonville, AR 72716-0505
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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 11/2/2017 7:10:27 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: EPA/Walmart Follow-up

My number is Ex. 6

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, November 02, 2017 11:31 AM
To: Rich Dailey
Subject: EXT: Re: EPA/Walmart Follow-up

Give me a number because we will be in Byron's office

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

On Nov 2, 2017, at 11:24 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok – I'll just call you at 202 564 1888?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, November 02, 2017 10:21 AM

To: Rich Dailey
Subject: EXT: Re: EPA/Walmart Follow-up

Got it and Byron and I will be in same office on the phone

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office

Ex. 6

wagner.kenneth@epa.gov

On Nov 2, 2017, at 11:17 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

That will work. I'll send a webex with call in number that you can forward to Byron.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, November 02, 2017 10:06 AM
To: Rich Dailey
Subject: EXT: RE: EPA/Walmart Follow-up

Can you do 3:30EDT? (2:30 central)? I have Byron Brown teed up to be on the call

From: Rich Dailey [<mailto:Rich.Dailey@walmart.com>]
Sent: Thursday, November 2, 2017 7:48 AM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: EPA/Walmart Follow-up

Ken

I will be in town the week of 11/13 – do you think you'd be able to arrange a follow-up meeting with key senior staff? I'd like to have a brief discussion with you on this if you have some time today or tomorrow. I'm pretty booked but can work to your schedule. Thanks for all your help on this.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 11/2/2017 3:04:12 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: EPA/Walmart Follow-up

Ken – I can work to your schedule, and I think we only need about 15 minutes. Just want to run some ideas by you on next steps. If you let me know a time and best number, I'll call you.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Thursday, November 02, 2017 7:39 AM
To: Rich Dailey
Subject: EXT: RE: EPA/Walmart Follow-up

Rich:

I am not available until late afternoon...what's that look like for you?

Ken

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Thursday, November 2, 2017 7:48 AM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: EPA/Walmart Follow-up

Ken
I will be in town the week of 11/13 – do you think you'd be able to arrange a follow-up meeting with key senior staff? I'd like to have a brief discussion with you on this if you have some time today or tomorrow. I'm pretty booked but can work to your schedule. Thanks for all your help on this.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street

Bentonville, AR 72716-0505
The Right Way, Every Day!

Message

From: rjohnson@alcoalcoop.com [rjohnson@alcoalcoop.com]
Sent: 10/29/2017 6:03:32 PM
To: Hank Rutledge [hrutledge@alcoalcoop.com]; Heather Locklar [Heather.Locklar@warrenaverett.com]; Hoyt Price [Hoyt@alabamaprinting.com]; Jim Heilbron [HEILBRON@southernco.com]; Megan Henry [henry@cullmansavingsbank.com]; Ashley Price [ashley@alabamaprinting.com]; Brown D [JOANNABR@southernco.com]; Chad Hewitt [CSHewitt@southernco.com]; Chris Arnold [carnold@alcoalcoop.com]; Christine Roberson [cullmansignandbanner@yahoo.com]; Cynthia Johnson [cajohnson@rjrmining.com]; Frank Fagg [frank@foarchitects.com]; Jennifer Smith [jjs@dlhcpa.com]; John Riley [riley@cullmansavingsbank.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nathaniel Drummond [NDrummond@drummondco.com]; Quinlan Lehe [qvon@buettnerbros.com]; Lydia Haynes [Ex. 6]; Nicholas Sellers [NCSELLER@southernco.com]; Jr. Padilla [ALPADILL@southernco.com]; Steve Fant [csf4437@bellsouth.net]; Steve Freeman [freeman@cullmansavingsbank.com]; Stuart Nelson [Stuart.Nelson@tscg.com]; Tony Reed [TAREED@southernco.com]; Wesley Britt [WTBRITT@SOUTHERNCO.COM]; Dawn Owens [dawnowens@linkingcullman.org]; Zeke Smith [ZWSMITH@southernco.com]; Alan Wood [awood@citizensbanktrust.com]; Clara Kent [kent@cullmansavingsbank.com]; Randy Nelson [Ex. 6]; rocky [rocky_c@bellsouth.net]; Dale Greer [daleg@cullmaneda.org]; George Barber [george@alcoal.com]; Gwen Parker [gparker@PeoplesBankAL.com]; Twinkle Cavanaugh [Ex. 6]; Tammy Songer [Ex. 6]; karen wagner [karenwagner@theppg.net]; Britnee McGraw [bmcgraw@alcoalcoop.com]
Subject: [FWD: Angry Mom]
Attachments: 22020489_328220404315337_1517062442713088000_n.mp4

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

Subject: Fwd: Angry Mom
From: Jim Phillips [Ex. 6]
Date: Sat, October 28, 2017 10:02 am
To: RANDY JOHNSON [Ex. 6]

Sent from my iPad

Begin forwarded message:

> **From:** Robyn Johnson [Ex. 6]
> **Date:** October 28, 2017 at 9:28:39 AM CDT
> **To:** [Ex. 6] [Ex. 6] [Ex. 6]
> [Ex. 6] [Ex. 6] [Ex. 6] [Ex. 6]
> [Ex. 6] [Ex. 6] [Ex. 6] [Ex. 6]
> **Subject:** Fwd: Angry Mom
>
>
>
> Robyn Johnson, Realtor
> Coldwell Banker Hill Real Estate
> [Ex. 6]
> (256) 734-1504 office
> [Ex. 6]
>
>

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

> From: mary terry <Ex. 6>
> To: Ron Etheredge <Ex. 6>; Robyn Johnson <Ex. 6>;
Connie Sykes <Ex. 6>; Linda Morris <Ex. 6>
Bob & Julie Alexander <Ex. 6> dfmorrison1430
<Ex. 6> DAVID CULBERSON <DCULBERS@uabmc.edu>;
frankalexander68 <Ex. 6>; alinder99 <Ex. 6>; Carrie
Simmons <Ex. 6>; Jamie James <Ex. 6>; Elwanda
Olander <Ex. 6>; Joyce D. Walsh <Ex. 6>
> Sent: Fri, Oct 27, 2017 6:38 pm
> Subject: Fwd: Angry Mom

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>
> Regards,
> Mary Terry

> Begin forwarded message:

>
> From: Annette Linder <Ex. 6>
> Date: October 27, 2017 at 3:02:22 PM CDT
> To: mary terry <Ex. 6>
> Subject: Fwd: Angry Mom

> ----- Forwarded message -----

> From: Marie Linder <Ex. 6>
> Date: Thu, Oct 26, 2017 at 1:06 PM
> Subject: Angry Mom
> To: Marie Linder <Ex. 6>

Message

From: Messina, Edward [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=95521FBF4E34496A879E364FAF7E5AA8-MESSINA, EDWARD]
Sent: 10/26/2017 5:58:21 PM
To: Birk, Eva [EBirk@nahb.org]; Mittelholzer, Michael [MMittelholzer@nahb.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; VanTil, Barbara [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=be261a0011ed447a8061bf8d97f8eaf0-BVantil]
Subject: RE: Follow-up on Nov meeting

Thanks Eva. Let's chat next week and I can walk you through what those policies generally say about encouraging the identification and immediate notification of observed deficiencies. We are currently examining what we say about this in the various inspection manuals with fresh eyes, based on recent discussions, and I will probably remind the inspectors about this approach as part of my presentation. So I think it would be a good idea for me to walk you through the nuances of the current policy and would suggest that we compare notes before we both present. How does that sound?

Happy to have a panel presentation if you like for your session so feel free to invite another NAHB member.

Barbara and I are currently reaching out to Region 7 regarding their availability after your presentation.

Ed

Ed Messina
Director
Monitoring, Assistance, and Media Programs Division
U.S. EPA
1200 Pennsylvania Ave., N.W. (MC-2227A)
Washington, DC 20460
p: (202) 564-1191
f: (202) 564-0050

From: Birk, Eva [mailto:EBirk@nahb.org]
Sent: Wednesday, October 25, 2017 12:10 PM
To: Messina, Edward <Messina.Edward@epa.gov>; Mittelholzer, Michael <MMittelholzer@nahb.org>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>; VanTil, Barbara <vantil.barbara@epa.gov>
Subject: RE: Follow-up on Nov meeting

Ed,

We very much appreciate the opportunity to speak with inspectors during the November 14th training. I am available and will make plans to attend. An additional meeting that day with yourself and Region 7 staff would be great.

- Can you provide training materials that inspectors will be provided during the meeting, specifically any direction inspectors receive on post-inspection visits or debriefs? This will help us to put our remarks in context for what trainees have already heard.
- We may also have the ability to bring an NAHB member speak to inspectors alongside me, and be available for questions. Let me know if you'd be amenable for a member to attend on Tuesday as well.

Barbara, please let me know what other information you need from me for logistics.

Kind regards and thank you again,

Eva

EVA BIRK Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: 202.266.8124 e: EBirk@nahb.org w: nahb.org

From: Messina, Edward [Messina.Edward@epa.gov]
Sent: Tuesday, October 24, 2017 10:28 PM
To: Mittelholzer, Michael
Cc: Birk, Eva; Wagner, Kenneth
Subject: RE: Follow-up on Nov meeting

Michael,

Nice meeting you today. Here is some relevant information about the EPA training in Kansas.

The training is called the EPA Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) Technical Inspector Workshop. This annual five-day workshop provides a forum to train CWA inspectors from EPA and authorized states and tribes. We generally draw about one hundred participants. The format includes classroom sessions; field equipment training; and site visits, including stormwater.

I have spoken with my staff and have set aside time on the agenda for the day where inspectors have classroom training. We would be very interested in hearing the regulated community's perspective related to the inspection and enforcement process. The best agenda time for this looks to be **Tuesday, November 14th, from 10:45 a.m. to 11:45 a.m.** Please let me know if you are interested in participating and if this time works.

Ken Wagner is coordinating with us on this, so if there are other participants please let him know and maybe we can discuss doing a panel presentation for this session, if need be.

The training is being held at **EPA Region 7 offices at 11201 Renner Boulevard, Lenexa, KS.** So if there is interest in a meeting with Region 7 staff and myself after the inspection session, I would be open to breaking away from the inspector training. Please let me know if there is any interest in that.

If you have additional questions please do not hesitate to call. In addition, Barbara VanTil, my Water Branch Chief, is standing by to work with you on the logistics for a presentation. She can be reached at 202-564-0664, or vantil.barbara@epa.gov.

All the best,
Ed

Ed Messina
Director
Monitoring, Assistance, and Media Programs Division
U.S. EPA
1200 Pennsylvania Ave., N.W. (MC-2227A)
Washington, DC 20460

p: (202) 564-1191
f: (202) 564-0050

From: Mittelholzer, Michael [mailto:MMittelholzer@nahb.org]
Sent: Tuesday, October 24, 2017 3:17 PM
To: messina.eward@epa.gov
Cc: Birk, Eva <EBirk@nahb.org>
Subject: Follow-up on Nov meeting

Mr. Messina - Thanks again for your input during today's meeting with the Administrator on compliance assistance opportunities for the residential construction sector under the CWA 402 program. A lot of good ideas were shared today by EPA staff from both HQ and the regional offices.

I wanted to get more information (i.e., date, location, agenda, etc.) from you about your upcoming Kansas City meeting with EPA regional inspectors. I am hoping you can share that information with my co-worker Eva Birk who handles stormwater regulatory issues here at NAHB's headquarters.

-Michael



MICHAEL MITTELHOLZER AVP, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: 202.266.8660 m: [Ex. 6](mailto:MMittelholzer@nahb.org) : MMittelholzer@nahb.org w: nahb.org

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MICHAEL MITTELHOLZER AVP, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: 202.266.8660 m: [Ex. 6](mailto:MMittelholzer@nahb.org) : MMittelholzer@nahb.org w: nahb.org

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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 10/23/2017 4:26:18 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Today's meeting

Ken
I'm back after being laid pretty low last week. I'm really sorry I missed the meeting -- but we were well-represented. Do you have any candid feedback from your folks as to how it went.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Wednesday, October 18, 2017 7:07 AM
To: Rich Dailey
Subject: EXT: Re: Today's meeting

Rich - hope you feel better. I'm traveling back from New Hampshire today and may not make the meeting, but Pruitt and the others listed will be there.

Hope to catch up soon

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

On Oct 18, 2017, at 7:38 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
Unfortunately, I'm sick and still in Bentonville and will miss today's meeting. However, we have the right people there to discuss RCRA and retail. Thank you so very much for making this happen-we really appreciate it.
Rich
Sent from my iPhone

Message

From: McDonough, Owen [OMcDonough@nahb.org]
Sent: 10/24/2017 10:16:26 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: photos of builders group

Awesome! Thanks again, y'all.

Sent from my iPhone

OWEN MCDONOUGH, PhD Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: 202.266.8662 e: OMcDonough@nahb.org w: nahb.org

On Oct 24, 2017, at 6:09 PM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

Fyi:

From: Vance, Eric
Sent: Tuesday, October 24, 2017 6:04 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Fwd: photos of builders group

Hi Daisy,
I sent this (below) to John and Lincoln this morning.
Cheers,
E

Eric Vance

Chief Photographer, USEPA
Office of the Administrator
1200 Pennsylvania Ave, NW
Washington, DC 20640
WJC-North, Room 6330K

202.564.2655 office

Ex. 6

 mobile

Link to Office of Multimedia photo galleries, accessible from within EPA's network.
<http://intranet.epa.gov/media/>

Begin forwarded message:

From: "Vance, Eric" <Vance.Eric@epa.gov>
Date: October 24, 2017 at 12:16:37 PM EDT
To: "Konkus, John" <konkus.john@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
Subject: photos of builders group

Hi gents,

Here's the Builders link...

<https://www.flickr.com/gp/usepagov/x9h6cd>

cheers,

e

Eric Vance
Chief Photographer, USEPA
Office of the Administrator, Office of Multimedia
WJC North, room 6330k
202.564.2655 office
Ex. 6 mobile

Link to Office of Multimedia photo galleries, accessible from within EPA's network.

<http://intranet.epa.gov/media/>

Message

From: McDonough, Owen [OMcDonough@nahb.org]
Sent: 10/24/2017 9:57:56 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: Photos from today's event

Cool. Thanks.

Sent from my iPhone

OWEN MCDONOUGH, PhD Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: 202.266.8662 e: OMcDonough@nahb.org w: nahb.org

On Oct 24, 2017, at 5:53 PM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

I just emailed our photographer to try and get these to y'all. Sorry for the delay!

From: Wagner, Kenneth
Sent: Tuesday, October 24, 2017 2:45 PM
To: McDonough, Owen <OMcDonough@nahb.org>
Cc: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Re: Photos from today's event

I will check

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
U S Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC. 20460
office: (202) 564-1988
cell:
email: wagner.kenneth@epa.gov

This email is for official EPA business only and is subject to disclosure under the Freedom of information Act

On Oct 24, 2017, at 12:57 PM, McDonough, Owen <OMcDonough@nahb.org> wrote:

Thanks again for a great meeting this morning.

Is there a flickr link of the meeting photos that you could share?

Cheers,

Owen

OWEN MCDONOUGH, PhD Program Manager, Environmental Policy

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: 202.266.8662 e: OMcDonough@nahb.org w: nahb.org

Message

From: McDonough, Owen [OMcDonough@nahb.org]
Sent: 10/24/2017 4:56:39 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Photos from today's event

Thanks again for a great meeting this morning.

Is there a flickr link of the meeting photos that you could share?

Cheers,
Owen

OWEN MCDONOUGH, PhD Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: 202.266.8662 e: OMcDonough@nahb.org w: nahb.org

Message

From: rjohnson@alcoalcoop.com [rjohnson@alcoalcoop.com]
Sent: 7/16/2018 9:47:43 PM
To: Heather Locklar [Heather.Locklar@warrenaverett.com]; Hoyt Price [Hoyt@alabamaprinting.com]; Jim Heilbron [HEILBRON@southernco.com]; Megan Henry [henry@cullmansavingsbank.com]; Ashley Price [ashley@alabamaprinting.com]; Bob Hodge [Bob.Hodge@ihsmarkit.com]; Brown D [JOANNABR@southernco.com]; Chad Hewitt [CSHewitt@southernco.com]; Charles Mccrary [Ex. 6]; Chasseny Lewis [Ex. 6]; Christine Roberson [Ex. 6]; CW McGehee [cw@mcgehee.org]; Cynthia Johnson [cajohnson@rjrmining.com]; David Muncher [DMuncher@drummondco.com]; Frank Fagg [frank@foarchitects.com]; Freddy Hunt [freddyh@msrequipment.com]; Jennifer Smith [jjs@dlhcpa.com]; John Riley [riley@cullmansavingsbank.com]; Jr. Padilla [ALPADILL@southernco.com]; Sean Ross [sean@twinkleforalabama.com]; Steve Fant [csf4437@bellsouth.net]; Steve Freeman [freeman@cullmansavingsbank.com]; Stuart Nelson [Stuart.Nelson@tscg.com]; Tony Reed [TAREED@southernco.com]; Wesley Britt [WTBRITT@SOUTHERNCO.COM]; Zeke Smith [ZWSMITH@southernco.com]; Alan Wood [awood@citizensbanktrust.com]; Clara Kent [kent@cullmansavingsbank.com]; Cynthia Johnson [Ex. 6]; Mackenzie Rockco [rockco@cullmansavingsbank.com]; Randy Nelson [Ex. 6]; Richard Mullen [RMullen@drummondco.com]; Rita Bailey [rbailey@cullmanal.gov]; Robbie Camp [robbie@alabamaprinting.com]; robert schneid [Ex. 6]; rocky [rocky_c@bellsouth.net]; Alex McCrary [Ex. 6]; Dale Greer [daleg@cullmaneda.org]; Lydia Haynes [Ex. 6]; Mel Bailey [melbailey@bellsouth.net]; Pamela Stiefel [Pamela.Stiefel@asmc.alabama.gov]; Pam Gunter [PGunter@twinpinescoal.com]; Patrick Cagle [Ex. 6]; Patty Tice [patty@alcoal.com]; Gwen Parker [gparker@PeoplesBankAL.com]; Hank Rutledge [hrutledge@alcoalcoop.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: [FWD: Fw: Fwd: Greatest Movie Line Ever]
Attachments: Greatest_Movie_Line_Ever.mp4

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

Subject: Fw: Fwd: Greatest Movie Line Ever
From: Jim Phillips <[Ex. 6]>
Date: Mon, July 16, 2018 3:52 pm
To: Nancy Wright <nancy@coldwellbanker.com>, RANDY JOHNSON <rjohnson@alcoalcoop.com>

Jim Phillips Coldwell Banker Hill Real Estate 204 4th Avenue, SE Cullman, AL 35055
Cell-2 [Ex. 6] Office- 256.734.1504 Fax- 256.734.1761

[Ex. 6]

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

From: gary.williams68 <[Ex. 6]>
To: Jim Phillips [Ex. 6]
Sent: Monday, July 16, 2018 02:49:42 PM
Subject: Fw: Fwd: Greatest Movie Line Ever

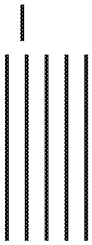
Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: james elmore <Ex. 6>
Date: 7/16/18 2:21 PM (GMT-06:00)
To: DOUG ALTOM <Ex. 6>, Jerry Todd <Ex. 6>, "David L. Turner"
<Ex. 6>, Johnny White <johnny@whitegroupcarolinas.com>, Jerry Elmore
<Ex. 6>, Loy Clark <Ex. 6>, Les Parsons <Ex. 6>, Barbara
& Scott Murrah <tsmbam@att.net>, Mike Wilcheck <mwilcheck@wundernet.com>, Gary Williams
<Ex. 6>, Caroline Williams <Ex. 6>, Jack Hunt <Ex. 6>
Grady Elmore <Ex. 6>
Subject: Fw: Fwd: Greatest Movie Line Ever

On Monday, July 16, 2018 8:05 AM, Wood Stevens <Ex. 6> wrote:

Sent from my iPhone



Message

From: McDonough, Owen [OMcDonough@nahb.org]
Sent: 10/12/2017 1:22:25 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: 10/24 Meeting Follow Up

Ken,

I wanted to let you know we had a good discussion w/ Susan Bodine on Tuesday, and we are identifying members from across the Regions to attend the 10/24 meeting.

Additionally, I hear from our CO members that they are holding a follow-up meeting with the new Region 8 Administrator, Doug Benevento, on Thursday, October 19th from 7:30-9:30 AM at the Garden of the Gods in CO Springs. Good stuff!

Finally, I reached out to Liz Bowman to see if we're ok to publicize last week's event w/ the Administrator. I haven't yet heard back. Any thoughts?

Cheers,
Owen



OWEN MCDONOUGH, PhD Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: 202.266.8662 e: OMcDonough@nahb.org w: nahb.org

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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 10/18/2017 1:16:29 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: EXT: Re: Today's meeting

Thanks for that intel.

Sent from my iPhone

On Oct 18, 2017, at 8:15 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

FYI - Byron Brown seems to be the subject matter expert on RCRA that will be in the meeting

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 Oct 18, 2017, at 8:42 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Thanks-I'll let my folks know that you might not be there. Let's talk soon.

Sent from my iPhone

On Oct 18, 2017, at 7:09 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Rich - hope you feel better. I'm traveling back from New Hampshire today and may not make the meeting, but Pruitt and the others listed will be there.

Hope to catch up soon

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

On Oct 18, 2017, at 7:38 AM, Rich Dailey
<Rich.Dailey@walmart.com> wrote:

Ken

Unfortunately, I'm sick and still in Bentonville and will make today's meeting. However, we have the right people there to discuss RCRA and retail. Thank you so very much for making this happen-we really appreciate it.

Rich

Sent from my iPhone

Message

From: Bodine, Susan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8C2CC6086FCC44C3BE6B5D32B262D983-BODINE, SUS]
Sent: 10/13/2017 5:00:49 PM
To: Birk, Eva [EBirk@nahb.org]
CC: Ward, Thomas [TWard@nahb.org]; McDonough, Owen [OMcDonough@nahb.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Draft Agenda: Construction Stormwater Enforcement and Compliance Forum

Thanks

Can you share a brief description of the issues to be raised?

Also, let's talk about the agenda.

From: Birk, Eva [mailto:EBirk@nahb.org]
Sent: Thursday, October 12, 2017 6:31 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Ward, Thomas <TWard@nahb.org>; McDonough, Owen <OMcDonough@nahb.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: Draft Agenda: Construction Stormwater Enforcement and Compliance Forum

Susan,

Please see attached for a proposed agenda for the October 24th meeting with Administrator Pruitt. Let us know a time early next week that is convenient for you to provide feedback and run through logistics.

Per our conversation on which EPA regional offices we would most prefer to have in Washington, we can tell you that NAHB members from the following regions will be in attendance to represent direct experience with EPA enforcement actions:

Region 2
Region 3
Region 4
Region 7

Members from the other 6 Regions will speak on wider programmatic issues outlined in the agenda.

Kind regards,

Eva



EVA BIRK Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: 202.266.8124 e: EBirk@nahb.org w: nahb.org



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Message

From: Birk, Eva [EBirk@nahb.org]
Sent: 10/12/2017 10:31:12 PM
To: Bodine, Susan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8c2cc6086fcc44c3be6b5d32b262d983-Bodine, Sus]
CC: Ward, Thomas [TWard@nahb.org]; McDonough, Owen [OMcDonough@nahb.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Draft Agenda: Construction Stormwater Enforcement and Compliance Forum
Attachments: Construction Stormwater Enforcement Forum - Draft Agenda.docx

Susan,

Please see attached for a proposed agenda for the October 24th meeting with Administrator Pruitt. Let us know a time early next week that is convenient for you to provide feedback and run through logistics.

Per our conversation on which EPA regional offices we would most prefer to have in Washington, we can tell you that NAHB members from the following regions will be in attendance to represent direct experience with EPA enforcement actions:

Region 2
Region 3
Region 4
Region 7

Members from the other 6 Regions will speak on wider programmatic issues outlined in the agenda.

Kind regards,

Eva



EVA BIRK Program Manager, Environmental Policy

National Association of Home Builders
1201 15th Street, NW | Washington, DC 20005
d: 202.266.8124 e: EBirk@nahb.org w: nahb.org

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Event: Construction Stormwater Enforcement & Compliance: Working with Industry Partners to Achieve Results

Date: October 24, 2017

Duration: 10:00 am – 12:00 pm (EPA HQ)

Objective: The construction sector pulls nearly half of all permits issued by EPA's 402 program annually, more than industrial and municipal permits combined. Unfortunately, this administratively complex program is ill suited for an important economic group: single-family home builders. In this forum, National Association of Home Builders (NAHB) members from around the country will identify top enforcement issues generating uncertainty, redundancy, and increased costs in the field. Participants will discuss win-win opportunities to provide builders and developers with a clear path to compliance, reduce the occurrence of minor violations, and allow the agency to focus its resources on activities that cause real environmental harm.

Attendees: OECA and OW senior staff, program staff (5-10)
NAHB members from each EPA region (10)
NAHB staff (5)

Draft Agenda:

Welcome (Susan Bodine, EPA; Greg Ugalde, NAHB 2 nd Vice Chairman of the Board)	5 minutes
Introductions	10 minutes
Key Enforcement Issues (NAHB Members)	40 minutes
Overly burdensome requirements for small sites	
Excessive fines for <i>de minimis</i> violations	
State vs Federal role in the enforcement process	
Confusion as to whether details of SWPPP plans are enforceable	
[BREAK]	
Summary of Challenges	5 minutes
Potential Solutions	40 minutes
Provide simplified permit option for small sites	
Revise EPA guidance (Expedited settlement offer/right-to-cure)	
Launch compliance assistance initiative via "Smart Sectors" program	
Issue memoranda clarifying "enforceability" of SWPPPs	
Summary and Next Steps	10 minutes

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 9/27/2017 12:08:47 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: FW: Meeting with Administrator

Ken
Looks like this is set – assume you're attending? Also, will you be able to join our table at the ELI dinner that night?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Tuesday, September 26, 2017 1:57 PM
To: Rich Dailey
Cc: Woodward, Cheryl
Subject: EXT: RE: Meeting with Administrator

Perfect. Let's plan for 2:15PM on October 18. I've copied Cheryl Woodward on this message who will send you arrival details as the date approaches.

We look forward to hosting you then!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Tuesday, September 26, 2017 2:25 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Meeting with Administrator

Hayley
We would prefer the afternoon of the 18th if possible, but either day will work. Our list of attendees is below – waiting to hear from CVS who their Public Affairs rep will be. I'll pass that along to you as soon as I get confirmation.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Sunday, September 24, 2017 7:15 PM
To: Rich Dailey
Subject: EXT: RE: Meeting with Administrator

Hello Rich,

Thank you for the additional detail. I'd be happy to set this meeting up for you. The afternoon of the 17th or 18th work best for the Administrator. What is your preferred date/time? Additionally, can you send a list of attendees for the meeting? I will send arrival details as the event approaches.

Thank you!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell:

From: Rich Dailey [<mailto:Rich.Dailey@walmart.com>]
Sent: Wednesday, September 20, 2017 4:04 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Meeting with Administrator

Hayley

Below is a short summary of the issue, background, and attendees. I've attached talking points that I gave to Ken when we met at the spring ECOS meeting.

Issue

- The application of the Resource Conservation and Recovery Act (RCRA) to the retail industry results in the development of complex identification, tracking, management, training, and reporting systems to manage returned or damaged consumer products as hazardous waste.
- These systems and actions taken by retailers of significant size and scale come at an enormous cost for what we believe is at the very most incremental protection of human health and the environment. Smaller retailers and consumers typically throw these items in the trash.

Background

- RCRA was passed in 1976 in response to situations like Love Canal and the Valley of the Drums – sites where thousands of barrels of industrial waste products were dumped with minimal, if any, measures to prevent environmental contamination. EPA developed RCRA's implementing regulations after assessing industrial assets, processes, constituents, and products as a way to manage chemical hazards "from cradle to grave".

- Neither RCRA nor its implementing regulations were intended to apply to retail. I was part of an EPA HQ team that helped develop the regulations and we were guided by the plain language of RCRA as well as its legislative history – neither address retail.
- Around the mid-2000's regulators began to apply RCRA to damaged or returned items at large retail stores, mandating that these items had to follow the same rules that apply to industrial wastes. To date, major retailers have been assessed hundreds of thousands of dollars in fines and penalties, and many have entered into multiple Federal and State consent decrees.

Attendees

- Rick Leahy, Walmart VP EHS Compliance
- Angie Cooper, Walmart Senior Director, Global Public Policy (Angie has known Administrator Pruitt for over 10 years)
- Rich Dailey, Walmart Senior Director, EHS Compliance
- Nicole Wilkinson, CVS Director, EHS Compliance
- CVS Public Affairs TBD

Hope this helps – please let me know if you have any questions.
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Wednesday, September 20, 2017 9:28 AM
To: Rich Dailey
Cc: Wagner, Kenneth
Subject: EXT: RE: Meeting with Administrator

Hello Rich,

Ken forwarded me your below message. I wanted to introduce myself as the Administrator's scheduler. I'd be happy to bring this request to our scheduling team and see how it works with our calendar. We will be meeting in the next few days and then I will circle back with you. Hopefully by early next week.

Ken looped me in on your initial conversations, but any additional information you can provide would also be helpful (attendees, issue background, etc.). We'll be in touch soon.

Thanks!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Phone: 202-564-2022

Cell: 2 Ex. 6

Begin forwarded message:

From: Rich Dailey <Rich.Dailey@walmart.com>
Date: September 20, 2017 at 9:29:38 AM EDT
To: "Kenneth Wagner (wagner.kenneth@epa.gov)" <wagner.kenneth@epa.gov>
Subject: Meeting with Administrator

Ken

Hope this finds you well. Every year around this time we get the word to cancel all travel that isn't essential – that direction came Monday. We think that meeting with Administrator Pruitt to discuss our RCRA-applied-to-retail concerns would be essential, so hopefully that is still a possibility. If so, is it possible we could schedule it for the week of 10/16, preferably sometime between the 17th and 19th? October 18th is the Environmental Law Institute dinner – every year we sponsor a table and invite EPA staff, NGOs, etc. to attend. If we can get a meeting with the Administrator around that time, I'd like to invite you and perhaps someone else from the senior staff. We may have staff from NatureVest, the capital investment arm of The Nature Conservancy there as well as we will try to meet with them on a joint project we hope to initiate. Please let me know if you have any questions.

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rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 9/25/2017 12:46:56 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Meeting with Administrator

Hayley

I have a couple meetings this morning and then will get with other folks attending to pick best date. I will let you know something for sure later today.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Sunday, September 24, 2017 7:15 PM
To: Rich Dailey
Subject: EXT: RE: Meeting with Administrator

Hello Rich,

Thank you for the additional detail. I'd be happy to set this meeting up for you. The afternoon of the 17th or 18th work best for the Administrator. What is your preferred date/time? Additionally, can you send a list of attendees for the meeting? I will send arrival details as the event approaches.

Thank you!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: [Ex. 6]

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Thanks!

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To: "Kenneth Wagner (wagner.kenneth@epa.gov)" <wagner.kenneth@epa.gov>

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rich.dailey@wal-mart.com

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Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 9/29/2017 5:30:58 PM
To: Rich Dailey [Rich.Dailey@walmart.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Walmart/EPA Meeting Attendance

Rich,

I think it would be fine if Scott attended. Thank you for bringing to my attention.

As far as our attendees, it will likely be the below, in addition to the Administrator.

Byron Brown, Deputy Chief of Staff for Policy
David Fotouhi, Deputy General Counsel
Nancy Beck, Deputy Associate Administrator for Chemical Safety & Pollution Prevention
Ken Wagner, Senior Advisor to the Administrator for Regional & State Affairs

We look forward to it!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell:

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Friday, September 29, 2017 11:35 AM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Subject: Walmart/EPA Meeting Attendance

Ken
After we talked at the last ECOS meeting, I returned to the meeting room and sat next to Scott Fulton, President of the Environmental Law Institute. Scott and I were talking about the RCRA-applied-to-retail issue in general and I mentioned our conversation and the potential meeting with Administrator Pruitt. Scott said that if amenable to both parties, he would love to attend to lend ELI's support for some type of regulatory relief. Scott shares our belief that this is a real opportunity to ease a significant burden that provides no benefit for human health or the environment and, at the same time, would allow for smarter materials management. I talked with Scott today and he is still eager to attend if ok with you. Please let me know what you think.

Hayley

Here is our final list of attendees which includes Scott if you guys find that acceptable.

- Rick Leahy, Walmart VP EHS Compliance
- Angie Cooper, Walmart Senior Director, Global Public Policy (Angie has known Administrator Pruitt for over 10 years)
- Rich Dailey, Walmart Senior Director, EHS Compliance
- Nicole Wilkinson, CVS Director, EHS Compliance

- Tegan Gelfand, CVS Director, Policy and Regulatory Affairs
- Scott Fulton, President, Environmental Law Institute

Is it possible to get a list of EPA attendees so we know who we're speaking with? Thanks for your help.
Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

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rich.dailey@wal-mart.com

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Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 9/20/2017 2:27:36 PM
To: rich.dailey@walmart.com
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
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Cell: Ex. 6

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Date: September 20, 2017 at 9:29:38 AM EDT
To: "Kenneth Wagner (wagner.kenneth@epa.gov)" <wagner.kenneth@epa.gov>
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508 SW 8th Street

Bentonville, AR 72716-0505

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Message

From: rjohnson@alcoalcoop.com [rjohnson@alcoalcoop.com]
Sent: 7/12/2018 3:16:21 PM
To: Alan Wood [awood@citizensbanktrust.com]; Alex McCrary [Ex. 6]; Ashley Price [ashley@alabamaprinting.com]; Greg Arndt [arndt@cullmansavingsbank.com]; Jr. Padilla [ALPADILL@southernco.com]; George Barber [george@alcoal.com]; Hank Rutledge [htrutledge@alcoalcoop.com]; Hoyt Price [Hoyt@alabamaprinting.com]; Kellie Bowman [kbowman@alcoalcoop.com]; Pamela Stiefel [Pamela.Stiefel@asmc.alabama.gov]; Patty Tice [patty@alcoal.com]; Robbie Camp [robbie@alabamaprinting.com]; Brown D [JOANNABR@southernco.com]; Carolyn Childers [cchilders@drummondco.com]; Chad Hewitt [CSHewitt@southernco.com]; Charles Mccrary [cdmccrary@gmail.com]; Christine Roberson [Ex. 6]; Clancy Johnson [Ex. 6]; Dale Greer [daleg@cullmaneda.org]; Dawn Owens [dawnowens@linkingcullman.org]; Quinlan Lehe [qvon@buettnerbros.com]; Freddy Hunt [freddyh@msrequipment.com]; Wesley Britt [WTBRITT@SOUTHERNCO.COM]; Heather Locklar [Heather.Locklar@warrenaverett.com]; kim.young1@wellsfargo.com; CW McGehee [cw@mcgehee.org]; Diane Brown [Ex. 6]; Gwen Parker [gparker@PeoplesBankAL.com]; Lawrence Sides [Lsides@drummondco.com]; Matt Townson [townson@cullmansavingsbank.com]; Pam Gunter [PGunter@twinpinescoal.com]; Sean Ross [sean@twinkleforalabama.com]; Tina Warner [tina_warner@bellsouth.net]; Twinkle Cavanaugh [Ex. 6]; Yellowhammer News [yhn@yellowhammernews.com]; Zeke Smith [ZWSMITH@southernco.com]; John Riley [riley@cullmansavingsbank.com]; Mackenzie Rockco [rockco@cullmansavingsbank.com]; Randy Nelson [Ex. 6]; Rita Bailey [rbailey@cullmanal.gov]; robert schneid [Ex. 6]; Cynthia Johnson [cajohnson@rjrmining.com]; rocky [rocky_c@bellsouth.net]; Clara Kent [kent@cullmansavingsbank.com]; David Muncher [DMuncher@drummondco.com]; Jennifer Smith [jjs@dlhcpa.com]; JENNIFER SPEER [Ex. 6]; Jim Heilbron [HEILBRON@southernco.com]; Jim Phillips [Ex. 6]; Julie Phillips [julie@tanous.com]; Lydia Haynes [Ex. 6]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Frank Fagg [frank@foarchitects.com]; Tammy Songer [Ex. 6]; T'aira Ugarkovich [ugarkovich@cullmansavingsbank.com]; Stuart Nelson [Stuart.Nelson@tscg.com]
Subject: [FWD: Article]
Attachments: Coal & Energy 11 July 2018.pdf

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

Subject: Article
From: <bmcgraw@alcoalcoop.com>
Date: Thu, July 12, 2018 10:03 am
To: rjohnson@alcoalcoop.com

Here is a clean copy

Britnee McGraw
Alabama Coal Cooperative
P.O. Box 1710
Cullman, AL 35056
P: 256-736-5888
F: 256-736-5848

Coal & Energy

Price report

Issue 132 | Volume 20 | II July 2018

Market commentary

By Bob Hodge, bob.hodge@ihsmarkit.com

- RJR Mining opens a new mine in Alabama.
- Production is targeted for 25,000 tons/month to start.
- Fighting the War on Coal.
- Letter to Trump.

"We're going to put a lot of coal miners and coal companies out of business."

Hillary Clinton

Donald Trump has his name on everything from hotels to high rises to restaurants. Now he has his name on a coal excavator.

If you head to Alabama and visit the new -- and as of now not-yet named -- mine that began producing last week for RJR Mining Co., you can see "Trump" the excavator. The name was the brainchild of RJR's Randy Johnson, who believes that without Trump (the president) there would be no Trump (the excavator) because there would be no new mine.

As the coal market has steadily improved over the past year, RJR -- which had been idle since 2014 -- decided to begin producing again and soon expects to be shipping 25,000 tons of metallurgical, industrial and thermal coal from the new operation in Jefferson County, Ala.

The mine has the potential to produce as much as 40,000 tons a month, with most of the coal likely staying in state but some destined for the export met market and, well, wherever a high-Btu, low-ash coal is needed.

Johnson, who cut his teeth in the coal business with Drummond and went on to be a driving force behind the Alabama Coal Cooperative, believes now's the time for the coal industry to make a stand and get the word out: Sticking it to the U.S. coal industry is a problem, not a solution.

"People are so misinformed about everything about the coal industry," Johnson said just a couple of days after the mine began loading its first coal. "Just let us do our job."

War on Coal combat

At age 71, most people have either retired or are wanting to retire, but Johnson figured that was a good age to jump back into the coal

Bluestone to open three E. Ky. mines

By Steve Hooks, steve.hooks@ihsmarkit.com

Bluestone Energy Group plans to reopen four surface mines in eastern Kentucky, gearing up for a possible 110,000 tons/month of production that will go to domestic thermal and international metallurgical coal markets.

The mines being reopened are the following, according to the company:

- Bent Mountain in Pike County, to produce 20,000 tons per month of steam coal, all being sold domestically. The operation last produced in the third quarter of 2016, MSHA records show, with 125,330 tons of output.
- Beech Creek, also in Pike County, to produce 60,000 tons per month of high-vol "A" met coal to be sold on the export market. The mine last produced 35,123 tons in the third and fourth quarters of 2017.
- A&G Job 4, 30,000 tons per month, with half of that steam coal and half high-vol "B" met coal. The steam coal will be

continued on page 3

industry. It was Obama's War on Coal that drove him to the sidelines in the first place, and he believes it's the current administration's counterattack that has paved the way for the current, smaller-but-vibrant industry.

Johnson said that even though the War on Coal was poo-pooed by the U.S. media, there wasn't anyone in the industry from Alabama to Allentown who wasn't caught up in the fight.

"Before Obama got in office, when we needed to get a permit, it took about five months and between \$35,000 to \$50,000," he said. "We got with the state and the OSM and we got things worked out."

There were the usual delays and some nitpicks along the way, but in the end the permitting process ran about as smooth as anything handled by a government bureaucracy. Then along came the Obama administration.

"The last permit I got cost us over \$270,000 and took over two years," Johnson said. "Nothing had changed, but now you had all these people involved and they would always come up with some new question. Answer that question and they would come up with something different."

At one time, he says, there were 51 permits, some more important to Alabama operations than others, that were being held up by the bureaucrats. Johnson described a meeting about a permit that involved 17 different people from the local level all the way up to the feds "because we were close to a creek."

"We had to go out and look for arrowheads, then there would be some questions about some kind of plants, and then we would have to look at the fish ... it didn't matter how you answered the questions; they just would come up with new ones."

A different vibe

Johnson said getting the new mine up and running wasn't done on a lark because the investment is simply too big. Even though he wasn't actively mining coal himself, he was still the president of the Alabama Coal Cooperative, which he helped found in 1990.

He said not only does the new mine have good coal – it will cut through four seams and average between 12, 200 to 12,600 Btu/lb. with 1.1 to 1.2% sulfur – but there had to be a place to market it.

"We are going to develop the mine slowly because we've got to make sure we can sell the coal," Johnson

said. "We're not trying to go too fast because if you go too fast, you make mistakes."

The operation currently has 18 employees at the facility and expects to be adding more.

"We have guys calling us who are 50 and 60 years old and saying 'Keep me in mind.' They've worked in the coal industry and they would like to get back into it."

Johnson said that when the Obama administration was "coming up with a new regulation every day," it was the people working in the industry "that they just didn't care about at all." He said that the people in the Trump administration stopped a lot of new regulations from going on the books and that is, in part, why he was able to jump-start RJR.

Letter to Trump

In fact, he feels so strongly about that that not only did he name the mine's excavator after the president, he wrote him a letter back in June that summed up his feelings with a thank you.

In part, the letter said:

The "War on Coal" is over. RJR has been idle since February 2014. We finished mining one reserve and sold another and since we were in our late 60's, we decided to stop. But, you have shown us age does not matter so we are opening another mine. This will be the largest reserve we have ever mined. This will be the largest capital investment we have ever made. We will provide more jobs than we ever have. You have restored our confidence and excitement, and our desire to stay involved. It is common practice in the mining industry to name the "big machines." We just purchased a 2.7 million-dollar excavator and we have named it TRUMP! We have enclosed a picture for your enjoyment.

Mr. President, we are extremely proud of you. Keep fighting for us and we will stand with you. Let's Keep America Great! God bless you, your family, your staff and every single person who fights alongside you every day. And, God bless the United States of America.

Johnson said the letter has spawned a small media frenzy, with newspapers and magazines wanting a picture of Trump (the excavator) and some calls from radio stations for interviews.

"We need to get our side of the story out," he said. "Maybe this will help."

Bluestone to open... continued from page 1

sold domestically and the met coal will be sold on the export market. No MSHA production data could be found for A&G Job 4.

The MSHA database lists a number of A&G Coal Corp. operations in Virginia and one in West Virginia, all of which are surface mines that are temporarily idled or nonproducing.

A & G Coal and Kentucky Fuel Corp., listed as operator of Bent Mountain and Beech Creek, are controlled by Jillean L. Justice and James C. Justice III. James C. Justice II is listed as controller of Bluestone Coal Corp. He is the governor of West Virginia.

Bluestone indicated the company will hire 150 workers and hiring is taking place at all three sites. No timetable for production startup was provided.

Justice cos. face Xcoal lawsuit

Xcoal Energy & Resources is suing James C. Justice II, Bluestone Energy Sales and Southern Coal Corp. over a coal supply agreement entered into on Oct. 19, 2017, alleging breach of contract.

Xcoal is asking for “damages and/or other amounts in excess of \$75,000.00, exclusive of interests and costs ...”

While details deemed “confidential” were redacted in a July 2 filing in U.S. District Court in Delaware, Xcoal is charging that the defendants “have substantially and materially breached their respective obligations under the (coal supply agreement by) failing to timely supply the quantity and quality of coal required under the CSA, and by otherwise failing to honor their other respective obligations under both the CSA and the guarantee.”

The coal supply agreement “provides for the sale of a specified quantity and quality of metallurgical grade coal by Bluestone to Xcoal,” the complaint states.

“Bluestone’s inability and/or failure to perform continued into May 2018, and finally culminated in Xcoal’s cancelation of the CSA on May 31, 2018, with full retention and preservation of its rights and remedies for Bluestone’s breach and default,” the complaint continues.

It also alleges: “Although testing at Bluestone’s loadout indicated that the coal’s quality was

compliant with the specifications set forth in the CSA, sampling at the port revealed that the quality of this coal was well below that specified in the CSA.”

In its response, filed on June 27, Bluestone et al. categorically denied a number of the allegations, and alleged in turn that “Xcoal knew the load dates were commercially unreasonable because Bluestone could not physically load the coal fast enough to meet the scheduled load dates (and) Xcoal demanded unilateral terms and conditions on the loading of trains that were not set forth in the CSA,” among other circumstances.

Navajo company buys Four Corners share

Navajo Transitional Energy Company has finalized a transaction to acquire a 7% ownership interest in units 4 and 5 of the Four Corners Power Plant, the company said Monday.

Under the purchase and sale agreement, NTEC purchased the 7% interest from 4C Acquisition, LLC, an affiliate of Arizona Public Service Company, which operates the power plant. The agreement was executed last week, and the transaction closed on July 2, NTEC stated.

“As a result of the transaction, NTEC, a business entity wholly owned by the Navajo Nation, becomes an owner of a coal-fired power plant, a first for a Navajo Nation enterprise,” the company said.

“Concurrently with NTEC’s purchase of the FCPP interest, NTEC and Arizona Public Service Company also entered into an amended and restated coal supply agreement, which governs FCPP fuel purchases from NTEC,” the statement continued. “The amended and restated coal supply agreement provides NTEC with more flexibility in the sale and purchase of coal from NTEC’s Navajo Mine.”

NACCO Industries’ Bisti Fuels is mining the coal for NTEC, which serves as the fuel procurement agent for the power plant. The surface mine in San Juan County, N.M., produced 417,659 of bituminous coal in the first quarter of 2018, according to MSHA data, and 3.7 million tons last year. The dedicated mine supplied 580,224 tons of the coal to Four

Corners in the first four months of 2018, according to the latest EIA fuel-delivery data. The power plant also takes natural gas. The coal is transported from the mine to the plant by a dedicated, electrified railroad.

In connection with these transactions, NTEC was also able to pay off the remaining balance of its term loan that was used to refinance NTEC's purchase of the Navajo mine from BHP Billiton in 2013.

NTEC is 100 percent owned by the Navajo Nation. The Four Corners plant is a 1,540-megawatt

facility located on Navajo Nation property in Fruitland, N.M.

Four Corners was originally a five-unit plant. Units 1-3 were retired at the end of 2013. APS owns 63% of the remaining units 4 and 5 following the acquisition of Southern California Edison's interest. APS has a total entitlement from Four Corners of 970 megawatts. 4CA owned 7% of units 4 and 5 following its acquisition of El Paso Electric's interest.



 IHS Markit

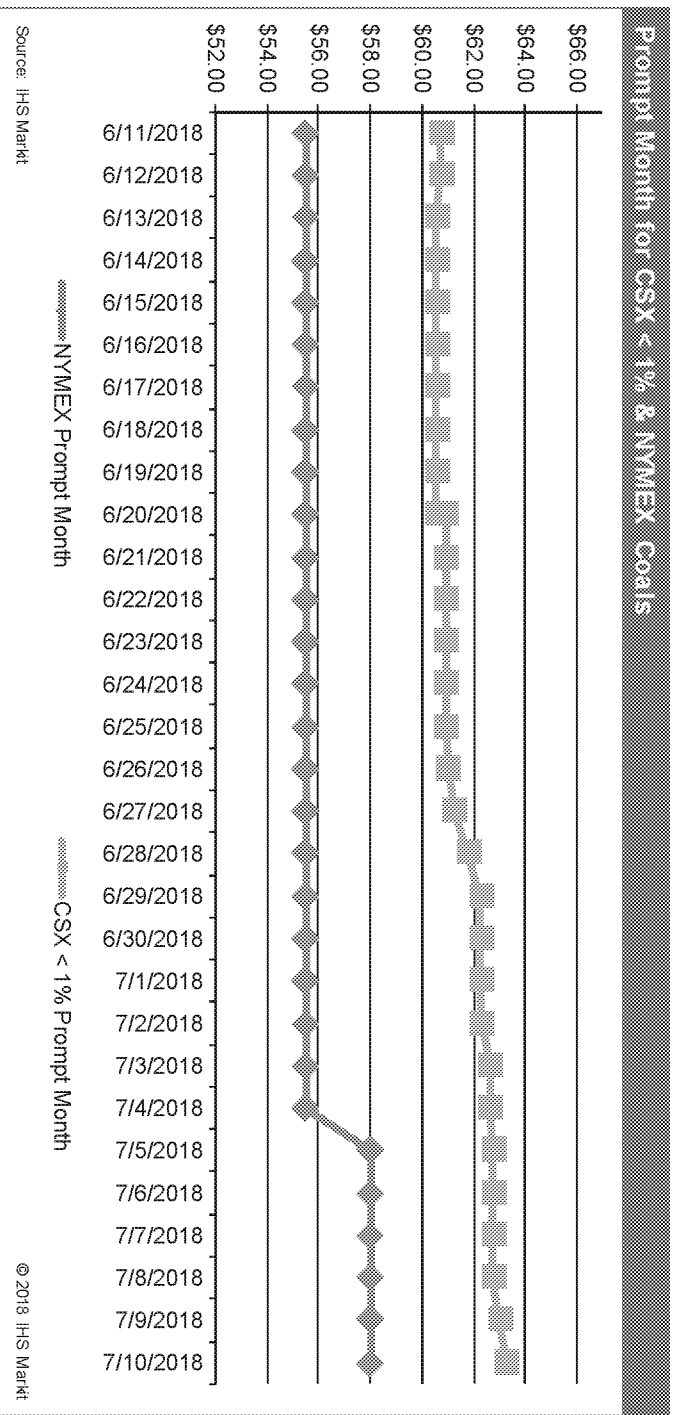
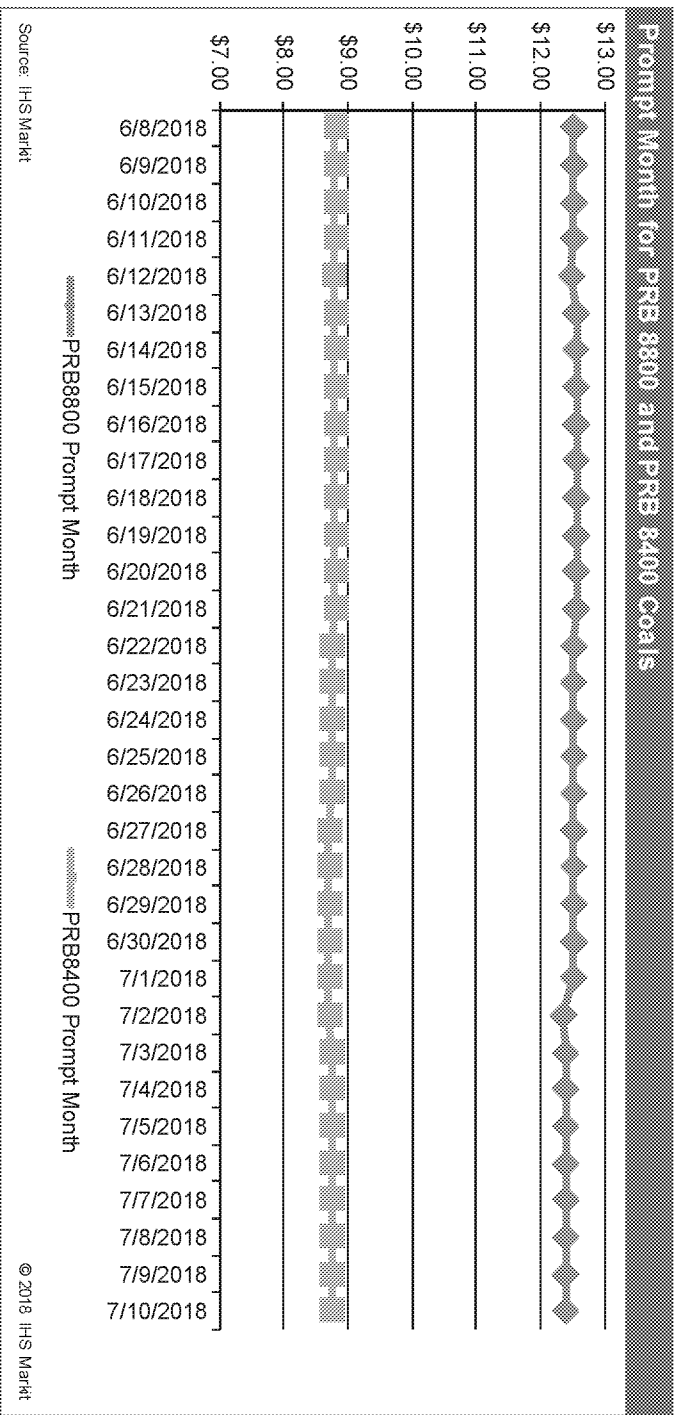
North American Export Coal & Gas Summit

October 9-11, 2018

San Francisco, CA
InterContinental Mark Hopkins

Presented with support from:





Price markers

NAPP rail	12,800 Btu/lb., 3.5 lbs SO2/MMBtu, \$51.68/ton
ILB rail	11,500 Btu/lb., 3.0% Sulphur, \$40.43/ton
NAPP barge	12,500 Btu/lb., 5.5 lbs SO2/MMBtu, \$45.58/ton
ILB barge	11,500 Btu/lb., 3.0% Sulphur, \$41.82/ton

Source: IHS Market

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Global Coal News & Analysis

McCloskey Coal Report: Comprehensive news and analysis of the global coal markets covering coal prices, seaborne trade, and discussing supply and demand issues with immediate and longer term implications.

Fax: Weekly digest of global prices and news in bite-sized form. All your weekly pricing data and market moving information in one place.

NewsWire: Real-time breaking coal market news and pricing wherever you are, delivered 24 hours a day.

Chinese Coal Market News & Analysis

The service, which comprises analytical reports and daily intelligence updates, brings together IHS' tradition of excellence in covering seaborne markets with Minhua Intalink's knowledge and insight of the Chinese market. Recent coverage has been at the heart of the policy, regulation, implementation and effect of China's goal of reducing domestic production capacity. This intelligence is augmented with data sets of key indicators.

APAC and African Coal Market News and Analysis

Australian Coal Report In-depth weekly coverage of Australian coal markets focusing on market moving events. Infrastructure is a key focus and includes port performance, vessel queues and freight. Australian coal statistics and published monthly in Excel covering exports and other data.

Indian Coal Report Monthly update on developments in the Indian coal, power and steel markets, including coal production and prices. Key shipping routes to India (Cape, Mini Cape, Supermax) are assessed and priced. Data includes monthly coal imports.

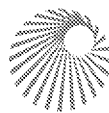
Coalfax Weekly summary of events impacting international coal markets focusing on Australia and wider Asia. Includes prices, tenders, stocks, shipping and the NEX Index, a key indicator of the spot price of thermal coal ex-Newcastle.

South African Coal Report The interplay between domestic power demand and exports is a focus. Covers corporate news and wider African coal markets and includes an infrastructure focus on Richards Bay coal terminal, loading rates, rail, capacity, vessel queues, and freight.

North American Coal Market News & Analysis

Coal & Energy Price Report Coal & Energy Price Report is the go-to daily publication for industry professionals. It features commentary by Jim Thompson, critical news and insight about the U.S. domestic markets, and analysis of the U.S. participation in international markets. The publication is included in IHS Energy's North American Coal suite.

U.S. Coal Review Published weekly, U.S. Coal Review is focused on the U.S. utility market but has complete coverage of current coal developments including comprehensive price coverage and production trends. The publication also features weekly analysis and insight from IHS experts. The publication is included in IHS Energy's North American Coal suite.



IHS Markit™

ENERGY

Coal Capability

Publication products and services

Coal Price Data and Indexes

IHS coal price markers form a key component of the API indices, which serve as the settlement price in 90% of the world's coal derivative contracts. With its legacy of playing a key role in developing steam coal indexation, IHS McCloskey first published the NW European market in 1991.

Available as an add-on to our other products, the full set of steam, coking and petcoke prices – along with vital coal market data, news and analysis can be accessed through our online platform IHS Connect™.

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The service is a one-stop shop for forward-looking analysis on the international steam coal market. At its core is a supply/demand and price forecast service. Outlooks are updated quarterly and backed up with in-depth commentary and a comprehensive data-base. The service also focuses on the inter-relationships between steam coal and other fuels, particularly natural gas as well as petcoke.

Metallurgical Coal Market Insight, News and Analysis

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Message

From: Tom Davis [Ex. 6]
Sent: 9/8/2017 1:13:45 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: EXT: Re: EHS Corporate Roundtable Dinner Speaker

Number is [Ex. 6]

Code is [Ex. 6]

Talk about to you at 1:00 eastern.

Thanks

Sent from my iPad

On Sep 8, 2017, at 7:42 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok - thanks

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Tom Davis [Ex. 6]
Sent: Friday, September 08, 2017 6:16 AM
To: Rich Dailey
Cc: Wagner, Kenneth
Subject: Re: EXT: Re: EHS Corporate Roundtable Dinner Speaker

I will send call in number in an hour or so.
Look forward to talking.

Sent from my iPad

On Sep 8, 2017, at 5:10 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok - thanks. I'll send the planner when I get to my office.

Sent from my iPhone

On Sep 7, 2017, at 10:34 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

I should be available as I will be on Central Time tomorrow...I land around 10am CDT

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 7, 2017, at 9:20 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken - possible for you to join call with Tom and me tomorrow 1:00 eastern?
Sent from my iPhone

On Sep 7, 2017, at 4:00 PM, Tom Davis

Ex. 6 wrote:

Would 1pm eastern work for you?
What number should I. Call?
Is Ken joining us on the call....did not hear from him.

Sent from my iPad

On Sep 7, 2017, at 11:02 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Tomorrow noon (either your time or mine) is good.

Rich Dailey, Sr.
Director
Environmental, Health and Safety Compliance
Phone 479-204-9914
Fax 479-204-9675
rich.dailey@walmart.com

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Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Tom Davis

Ex. 6

Sent: Thursday,
September 07, 2017
8:23 AM

To: Rich Dailey

Cc: Wagner, Kenneth

Subject: EXT: Re: EHS
Corporate Roundtable
Dinner Speaker

Good time to connect
by phone? Maybe
tomorrow around noon
or next Tuesday?

Thanks.

Sent from my iPad

On Sep 6, 2017, at
11:34 AM, Rich Dailey
<Rich.Dailey@walmart.com> wrote:

Ken
Thanks
so
much!
I'm
copying
Tom
Davis,
Executi
ve
Directo
r of the
Roundt
able.
Tom
will
reach
out to
you on
specific
s.
Rich

Rich
Dailey,
Sr.
Directo
r

**Environmental,
Health
and
Safety
Compliance**

Phone
479-
204-
9914
Fax
479-
204-
9675

rich.dailley@wal-mart.com

Wal-
mart
Compliance

508 SW
8th
Street
Benton
ville,
AR
72716-
0505
The
Right
Way,
Every
Day!

From:
Wagner

,
Kenneth
[mailto:
wagner.kenneth@epa.gov]

Sent:
Friday,
September 01,
2017
3:46
PM

To:
Rich
Dailey

Subject: EXT:
Re:
EHS
Corporate
Roundtable
Dinner
Speaker

Rich:

Hope
all is
well. I
will
make
sure we
get this
to
scheduling
so
that we
can
make
sure to
have, at
least,
someone
from
Pruitt's
Senior
Staff to
be
there.
We will
be
talking
fall
calendars
in
the
next
several
weeks.

Kenneth E.
Wagner
*Senior
Advisor
to the*

*Adminis
trator
For
Region
al &
State
Affairs*

**US
Environ
mental
Protect
ion**

Agency

Office:

202-

564-

1988

Cell:

Ex. 6

wagner

.kennet

h@epa.

gov

On Sep

1, 2017,

at 3:05

PM,

Rich

Dailey

<Rich.D

ailey@

walmar

t.com>

wrote:

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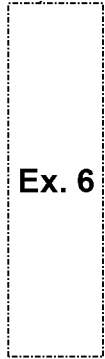
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Message

From: Tom Davis [Ex. 6]
Sent: 10/5/2017 3:25:58 PM
To: Rich Dailey [Rich.Dailey@walmart.com]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: Ken Wagner/EPA and Nov 14 dinner talk.

Thanks Ken,,,looking forward to it

Tom Davis

Tom Davis Associates

1099 22nd Street NW

Suite 804

Washington, DC 20037

(202) 776-0539 Office

(Ex. 6) Cell

Email: [Ex. 6]

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Connect with me on [LinkedIn](#)

On Thursday, October 5, 2017, 11:23:17 AM EDT, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

I am definitely on board

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 Oct 5, 2017, at 9:22 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Do you think you will still be able to do this?

Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone 479-204-9914 Fax 479-204-9675

rich.dailey@wal-mart.com

Walmart ✧ Compliance

508 SW 8th Street

Bentonville, AR 72716-0505

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From: Tom Davis [Ex. 6]
Sent: Thursday, October 05, 2017 9:43 AM
To: Rich Dailey
Subject: EXT: Ken Wagner/EPA and Nov 14 dinner talk.

Have you heard from him? I have not but want to be certain he is on board for the Nov 14-15 meeting.

Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 9/6/2017 4:11:48 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Test - Ken, will you let me know if you received this email

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: Rich Dailey [Rich.Dailey@walmart.com]
Sent: 9/2/2017 3:42:50 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: EXT: Re: EHS Corporate Roundtable Dinner Speaker

Thanks Ken.

Sent from my iPhone

On Sep 1, 2017, at 3:46 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Rich:

Hope all is well. I will make sure we get this to scheduling so that we can make sure to have, at least, someone from Pruitt's Senior Staff to be there. We will be talking fall calendars in the next several weeks.

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 Sep 1, 2017, at 3:05 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Senior EHS folks from Walmart and a number of other major corporations (Lockheed Martin, Boeing, Chevron) gather in DC at the National Press Club twice a year to discuss issues that are relevant to all of us. It is a great forum – usually less than thirty people which makes for intimate and candid conversation. This fall we will meet November 14-15, and we are looking for a dinner speaker the night of the 14th. Would you, Administrator Pruitt, or another member of the senior staff be interested? Thanks for your consideration.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: Tom Davis [Ex. 6]
Sent: 9/7/2017 1:23:20 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: EHS Corporate Roundtable Dinner Speaker

Good time to connect by phone? Maybe tomorrow around noon or next Tuesday?

Thanks.

Sent from my iPad

On Sep 6, 2017, at 11:34 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Thanks so much! I'm copying Tom Davis, Executive Director of the Roundtable. Tom will reach out to you on specifics.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Friday, September 01, 2017 3:46 PM
To: Rich Dailey
Subject: EXT: Re: EHS Corporate Roundtable Dinner Speaker

Rich:

Hope all is well. I will make sure we get this to scheduling so that we can make sure to have, at least, someone from Pruitt's Senior Staff to be there. We will be talking fall calendars in the next several weeks.

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 Sep 1, 2017, at 3:05 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Senior EHS folks from Walmart and a number of other major corporations (Lockheed Martin, Boeing, Chevron) gather in DC at the National Press Club twice a year to discuss issues that are relevant to all of us. It is a great forum – usually less than thirty people which makes for intimate and candid conversation. This fall we will meet November 14-15, and we are looking for a dinner speaker the night of the 14th. Would you, Administrator Pruitt, or another member of the senior staff be interested? Thanks for your consideration.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
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Message

From: Tom Davis [Ex. 6]
Sent: 9/12/2017 11:55:38 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Corporate roundtable

Ken, a pleasure to talk with you last week.
The corporate ehs and s roundtable was formed in 1988 by ATT, Merck, GE and Union Carbide as a forum for corporate ehs leaders to gather and discuss common problems and potential solutions. Members etc are on the website: www.ehsroundtable.net
The nov 14-15 agenda will be out by end of month.
As I mentioned, no press and we are off the record.
I think you will enjoy meeting the folks.
Please feel free to join us at anytime on nov 14 prior to your brief dinner talk.
If you have any questions please contact me. Thanks so much for doing this...
And I did have a lobster roll and thought of you!

Sent from my iPad

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 7/6/2018 1:21:13 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Personal contact info

Rich: thanks...I have been asked to stay and continue in my role. So I look forward to working together more!

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 Jul 6, 2018, at 7:29 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

I don't know if you've already left the agency, or will be leaving soon, but I want you to have my personal contact info. I've enjoyed our interaction and conversations, and really like the work you are doing on cooperative federalism. Let's keep in touch, and let me know when you're in the Bentonville area.

- <!--[if !supportLists]--><!--[endif]--> Ex. 6
- <!--[if !supportLists]--><!--[endif]--> Ex. 6

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 7/24/2017 10:42:02 PM
To: Williams, Pamela [pamela.williams@santeecooper.com]
Subject: Re: Visit to SC

Pamela: We enjoyed the dialogue with you, Babs and your colleagues. Please feel free to reach out if there are issues that you think are important. As the Administrator stated, we are committed to making sure that all stakeholder's voices are heard on all of our rule makings.

please 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

On Jul 24, 2017, at 5:55 PM, Williams, Pamela <pamela.williams@santeecooper.com> wrote:

Ken:

Thank you and your colleagues very much for coming to SC today and listening to our concerns. As an electric and water utility, Santee Cooper interacts frequently with EPA and SC DHEC. It is important to us to have regulators who are willing to hear and consider our challenges. We appreciate the outreach and time from your busy schedules. It was a pleasure meeting you.

Pamela Williams

Pamela J. Williams
Sr. V.P. Corporate Services
Santee Cooper
Ex. 6

Confidentiality Notice:

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately either by phone or reply to this e-mail, and delete all copies of this message.

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 7/16/2017 8:24:26 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Monday meeting

Sounds great!

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 Jul 16, 2017, at 3:23 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Looking at the agenda, how about right after lunch?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, July 13, 2017 4:35 PM
To: Rich Dailey
Subject: EXT: Re: Monday meeting

11am or early afternoon...let me know what you think

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 Jul 13, 2017, at 4:34 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Thanks Ken

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, July 13, 2017 2:37 PM
To: Rich Dailey
Subject: EXT: Re: Monday meeting

Sure...I'm speaking as part of a round table in the morning. I just need to look at the agenda...let me get back to you this afternoon as I'm in a meeting

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 Jul 13, 2017, at 2:14 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Is below possible?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Rich Dailey
Sent: Thursday, July 13, 2017 6:31 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Monday meeting

Ken

Do you want to try to set a time to meet at ECOS on Monday – I'm looking forward to it.

Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone 479-204-9914 Fax 479-204-9675

rich.dailey@wal-mart.com

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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 7/13/2017 9:35:17 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Monday meeting

11am or early afternoon...let me know what you think

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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Thanks Ken

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Sent: Thursday, July 13, 2017 2:37 PM
To: Rich Dailey
Subject: EXT: Re: Monday meeting

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Ex. 6 cell
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On Jul 13, 2017, at 2:14 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Is below possible?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Rich Dailey
Sent: Thursday, July 13, 2017 6:31 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Monday meeting

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Sent: 7/13/2017 7:36:56 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Monday meeting

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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 Jul 13, 2017, at 2:14 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Is below possible?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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From: Rich Dailey
Sent: Thursday, July 13, 2017 6:31 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Monday meeting

Ken
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Rich

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Sent: 6/6/2017 2:17:57 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: ECOS STEP meeting

Rich:

I will definitely be at the STEP meeting and may be speaking. I would love to carve off some time to get together. As the agenda comes out, let's touch base and set something up.

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 Jun 6, 2017, at 5:38 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

I'll be attending the ECOS STEP meeting July 17. Alex Dunne mentioned that either Administrator Pruitt or you may be speaking that day. Would you like to try to get together then? I think I mentioned that I'm originally from Maryland, and I will actually be there the week of 7/10 visiting family – I could make time that week as well if that works better for you. Hope you are surviving and thriving in the swamp.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 6/13/2017 11:46:28 AM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: ECOS STEP Meeting

I am in that whole week, so I'm pretty flexible, but the afternoon of the 17th looks good

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 Jun 12, 2017, at 4:23 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

We had mentioned getting together at the ECOS meeting July 17, or possibly the next day. Do you know which you will be able to do? I need to change my return flight from the 16th to either the 17th or 18th. Thanks, and I look forward to seeing you then.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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Sent: 9/6/2017 4:37:40 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EPA/Walmart Meeting

Got it... see you soon

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 3 cell
wagner.kenneth@epa.gov

On Sep 6, 2017, at 11:32 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

As much as I would love to, I'm not. Only so much travel money, and I have stuff that is more functional coming up.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
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rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, September 06, 2017 11:29 AM
To: Rich Dailey
Subject: EXT: Re: EPA/Walmart Meeting

You going to ECOS in Jackson Hole?

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 6, 2017, at 11:26 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Thanks.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@walmart.com

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508 SW 8th Street
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, September 06, 2017 11:16 AM
To: Rich Dailey
Subject: EXT: Re: EPA/Walmart Meeting

Got it...in Houston/Beaumont this week headed back to D.C. tonight...hope to get with scheduler tomorrow

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 6, 2017, at 11:11 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

I was looking for a note that I thought I sent you last week on the meeting we discussed at ECOS, but couldn't find it in my "sent" box. I know I created it – sorry if this is redundant.

At ECOS, we discussed the problems caused by the application of RCRA to retail – lots of expense and work for what we believe is not even incremental protection of human health and the environment. You asked for me to pull some other retailers together for a potential meeting in DC with Administrator Pruitt. We would like to keep this small – our list of potential attendees is as follows:

- <!--[if !supportLists]--><!--[endif]-->Rick Leahy, Walmart VP EHS Compliance
- <!--[if !supportLists]--><!--[endif]-->Angie Cooper, Walmart Senior Director, Global Public Policy (Angie has known Administrator Pruitt for over 10 years)
- <!--[if !supportLists]--><!--[endif]-->Rich Dailey, Walmart Senior Director, EHS Compliance

- <!--[if !supportLists]--><!--[endif]-->Nicole Wilkinson, CVS Director, EHS Compliance
- <!--[if !supportLists]--><!--[endif]-->CVS Public Affairs TBD

We understand how busy you guys are, and will work to your schedule to make this happen. Hope all is well, and please let me know if you have any questions.

Rich

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone 479-204-9914 Fax 479-204-9675

rich.dailey@wal-mart.com

Walmart * Compliance

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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 9/6/2017 4:28:55 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EPA/Walmart Meeting

You going to ECOS in Jackson Hole?

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 6, 2017, at 11:26 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Thanks.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
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Kenneth E. Wagner
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- Angie Cooper, Walmart Senior Director, Global Public Policy (Angie has known Administrator Pruitt for over 10 years)
- Rich Dailey, Walmart Senior Director, EHS Compliance
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- CVS Public Affairs TBD

We understand how busy you guys are, and will work to your schedule to make this happen. Hope all is well, and please let me know if you have any questions.

Rich

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Sent: 9/6/2017 4:15:56 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EPA/Walmart Meeting

Got it...in Houston/Beaumont this week headed back to D.C. tonight...hope to get with scheduler tomorrow

Kenneth E. Wagner
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For Regional and State Affairs
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wagner.kenneth@epa.gov

On Sep 6, 2017, at 11:11 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

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We understand how busy you guys are, and will work to your schedule to make this happen. Hope all is well, and please let me know if you have any questions.

Rich

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Sent: 4/20/2017 7:25:30 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EPA/Walmart Discussion

Rich:

I would love to get together with you and your team. Let me talk to the Administrator to see his preference. We are in Missouri today on our way to Dallas for Earth Day. I will be back in the office on Monday and get back to you.

We are looking forward to meeting with you.

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell: 2-Ex. 6
wagner.kenneth@epa.gov

On Apr 20, 2017, at 7:47 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

We met briefly at ECOS and talked about getting together to get our perspective on EPA's approach to environmental regulation applied to retail. We could come to DC or perhaps meet with you when you're back this way. Also, would you rather we work this through our Corporate Affairs folks? Hope all is well,
Rich

Rich Dailey, Sr. Director
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rich.dailey@wal-mart.com

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Sent: 9/1/2017 8:45:46 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EHS Corporate Roundtable Dinner Speaker

Rich:

Hope all is well. I will make sure we get this to scheduling so that we can make sure to have, at least, someone from Pruitt's Senior Staff to be there. We will be talking fall calendars in the next several weeks.

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 Sep 1, 2017, at 3:05 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Senior EHS folks from Walmart and a number of other major corporations (Lockheed Martin, Boeing, Chevron) gather in DC at the National Press Club twice a year to discuss issues that are relevant to all of us. It is a great forum – usually less than thirty people which makes for intimate and candid conversation. This fall we will meet November 14-15, and we are looking for a dinner speaker the night of the 14th. Would you, Administrator Pruitt, or another member of the senior staff be interested? Thanks for your consideration.

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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Message

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Sent: 4/7/2017 1:55:27 AM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: ECOS meeting

Rich: I look forward to spending time together. When you want to bring the larger team to meet the Administrator, I know he would enjoy the visit.

Thanks,

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

On Apr 6, 2017, at 12:35 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

This is Rich Dailey from Walmart-it was great to meet you at the ECOS meeting today. I'd love to talk more with you about how we can offer or perspective-let's stay in touch. Best way to reach me most times it is either email: rich.dailey@walmart.com or personal cell Ex. 6 Let's talk soon.

Sent from my iPhone

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 6/4/2018 10:05:03 AM
To: Rich Dailey [Rich.Dailey@walmart.com]
CC: Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, DJ]; Lueckenhoff, Dominique [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0c0739371f9474c8abb685a920d6d83-Dluecken]; servido.cosmo@epa.gov; Toni Mccrory [Toni.Mccrory@walmart.com]
Subject: Re: EPA Region III/Walmart Stormwater Project

Good morning Rich, do you have a timeframe for wanting this meeting? I know our AA for water is still taking very few meetings because of some deadlines related to the WOTUS rule making. So July is probably better for him.

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 Jun 1, 2018, at 3:24 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken/Nena/Daisy

I spoke with Dominique Lueckenhoff today about the joint stormwater project that I've discussed with you all. Cosmo and Dominique briefed your new Deputy Administrator the other day and he was apparently impressed and excited. We had discussed getting a briefing together for the Administrator and the AA for Water. I think we are probably at that point if you are ready to set that up. Dominique and I discussed having a call with you sometime within the next several weeks to bring you up to speed and begin planning that meeting. Attached is a infographic that Dominique developed that pretty much tells our story on one page. As you can imagine, we are all very excited about this!

Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✨ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

<R3_HPP_Partnership_UPDATED.pdf>

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 5/24/2018 6:03:43 PM
To: Chancellor, Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae6aeabeca754643bdb01c9f5b653ca6-Chancellor,]; Taylor.Gissell@walmart.com
Subject: Fwd: EXT: Re: Helping young talent
Attachments: Taylor Gissell Resume - 5-9-18.pdf; ATT00001.htm

Erin, meet Taylor, this is the bright young lawyer we discussed.

Ken

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

Begin forwarded message:

From: Taylor Gissell <Taylor.Gissell@walmart.com>
Date: May 24, 2018 at 8:20:29 AM CDT
To: "Wagner, Kenneth" <wagner.kenneth@epa.gov>
Subject: RE: EXT: Re: Helping young talent

Looking forward to our call. Attaching my resume to provide some background.

Thanks,
Taylor

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, May 23, 2018 2:23 PM
To: Taylor Gissell
Subject: Re: EXT: Re: Helping young talent

Looking forward to it...

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 May 23, 2018, at 2:16 PM, Taylor Gissell <Taylor.Gissell@walmart.com> wrote:

That works perfectly. I'll give you a call then.

Thanks,
Taylor

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, May 23, 2018 2:13 PM
To: Taylor Gissell
Subject: Re: EXT: Re: Helping young talent

How about 10:30am CDT...I'm in Tulsa tomorrow

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 May 23, 2018, at 2:11 PM, Taylor Gissell <Taylor.Gissell@walmart.com> wrote:

Hi Ken,

I sent an outlook calendar for 9:30 tomorrow, but given calendar invites going to those outside of the company are somewhat unreliable, would 9:30 CST tomorrow work for you? I'm fairly open tomorrow so working into your schedule may be easier.

Thanks again,
Taylor

Ex. 6

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Wednesday, May 23, 2018 1:54 PM
To: Taylor Gissell
Cc: Rich Dailey
Subject: Re: EXT: Re: Helping young talent

Taylor,

I am looking forward to visiting. I hope I can provide a bit of insight, but there are several younger women lawyers who I think are fantastic that I'd like to connect with you.

Is there a time tomorrow that I could call?

Kenneth E. Wagner

Senior Advisor to the Administrator

For Regional & State Affairs

U S Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC. 20460

office: (202) 564-1988

cell: [redacted] Ex. 6

email: wagner.kenneth@epa.gov

This email is for official EPA business only and is subject to disclosure under the Freedom of information Act

On May 23, 2018, at 6:41 AM, Taylor Gissell
<Taylor.Gissell@walmart.com> wrote:

Thanks, Rich.

Ken- Thanks for agreeing to connect. I'm really looking forward to getting your perspective. I'll be reaching out shortly with a planner for a call.

Thanks again,
Taylor

On May 22, 2018, at 8:13 PM, Rich Dailey
<Rich.Dailey@walmart.com> wrote:

Thanks Ken - really appreciate it. Her name is Taylor Gissell. Taylor - feel free to reach out to Ken and set up some time to talk.

Rich

Sent from my iPhone

On May 22, 2018, at 4:18 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Rich: Great to hear from you. I would love to visit with her as well as hook her up with some woman attorneys here who could provide some better insight.

Feel free to have here drop me an email and we will connect and put her with some people that I really think are bright attorneys who have different career paths.

Ken

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 May 22, 2018, at 5:59 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
Hope
this
finds
you
well. I'd
like
your
help on
something
if
you can
make
the
time. I
have a
young

lawyer
here,
two
years
out of
Univers
ity of
Housto
n Law
School,
law
review,
etc.,
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whom
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really,
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articula
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thought
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mature
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her
years.
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A firm,
corpora
te law,
EPA,
etc.
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a
lawyer,
I'm not
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you
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be, but
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ate it if
you
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find a
half
hour to
talk
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and I'll
introdu
ce you.
And,
don't
forget
to let
me
know
when
you're
back in
town –
I'd love

to get
togethe
r. Best,
Rich

Rich
Dailey,
Sr.
Directo
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Enviro
nmenta
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Health
and
Safety
Compli
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Phone
479-
204-
9914
Fax
479-
204-
9675
rich.dailey@wal-mart.com

Walma
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Complia
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508 SW
8th
Street
Benton
ville,
AR
72716-
0505
The
Right
Way,
Every
Day!

EDUCATION

- University of Houston Law Center | Houston, Texas May 2016
J.D., GPA: 3.66; Ranked 8th of 240 (Top 5%)
- Houston Law Review, Note & Comment Editor
 - Order of the Coif and Order of the Barons Honor Society, Member
 - Dean's Merit Scholar
 - 2013 Dean's LEX Award Winner - Contracts and Torts
 - Texas State Bar Oil and Gas Section Scholarship Award Winner
 - Jackson Walker LLP Writing Award for Best Paper in New Media
 - 2015 International Association of Law Schools Writing Award Recipient – North America
- Texas A&M University | College Station, Texas May 2012
B.A. History

EXPERIENCE

- Walmart Inc.** | Bentonville, Arkansas May 2016 – present
Senior Manager II – Governance, Risk, and Monitoring, U.S. Ethics and Compliance
- Direct and implement strategy and execution of U.S. compliance risk and maturity assessments and analysis for U.S. stores.
 - Direct and implement monitoring and response strategy and protocols, managing both internal and external monitoring efforts.
 - Manage and interpret all compliance consent decrees and compliance agreements with both regulators and private parties.
 - Create and implement methodology to inform executive strategy and resource allocation decisions across U.S. Compliance.
 - Create and lead Ethics and Compliance training on implementation of DOJ guidelines for corporate compliance programs.
- Quanta Services** | Houston, Texas May 2015 – May 2016
Law Clerk
- Review and revise commercial construction contracts.
 - Conduct in-depth compliance and M&A research on domestic and international law.
 - Perform FCPA due diligence and summarize findings in client memoranda.
 - Assist in creation and implementation of compliance trainings.
- R. McConnell Group** | Houston, Texas May 2014 – May 2016
Law Clerk
- Conduct on-site compliance maturity and risk assessments in South American Markets for Fortune 100 company.
 - Perform FCPA due diligence and summarize findings in client memoranda.
 - Draft and revise commercial contracts.
 - Conduct legal research and assist with Corporate Code of Conduct development.
- University of Houston Law Center, Death Penalty Clinic** | Houston, Texas Jan. 2014 – May 2014
Student Clerk
- Researched Texas death penalty law.
 - Conducted client interviews and liaised between clients and lead attorney.
 - Drafted and edited legal briefs and clemency petitions, one of which led to a stay of execution.
- United States District Court, Southern District of Texas** | Houston, Texas June 2014 – Aug. 2014
Judicial Intern for The Honorable David Hittner

PUBLICATIONS

- *Felony Count 1: Indecent Disclosure*, 53 HOUS. L. REV. 273 (2015).
- *Grading the NFL's Compliance Program—and yours*, CORPORATE COUNSEL MAGAZINE, (with Ryan McConnell & Meagan Baker), available at <http://www.law.com/sites/articles/2015/03/05/grading-the-nfls-compliance-policy-and-yours/?slreturn=20150613215223>.

SKILLS & INTERESTS

- Moderately fluent in Spanish.
- Travel; Yelp Reviewing; Going to Houston Astros games.

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 5/22/2018 9:17:28 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Helping young talent

Rich: Great to hear from you. I would love to visit with her as well as hook her up with some woman attorneys here who could provide some better insight.

Feel free to have here drop me an email and we will connect and put her with some people that I really think are bright attorneys who have different career paths.

Ken

Kenneth Wagner
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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 May 22, 2018, at 5:59 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Hope this finds you well. I'd like your help on something if you can make the time. I have a young lawyer here, two years out of University of Houston Law School, law review, etc., with whom I'm really, really impressed. She is super smart, articulate, thoughtful, and mature beyond her years. She is not working as an attorney for the company – she is helping to manage our risk assessment/maturity model processes. Currently, she is at a point where she's unsure of which way to go next. A firm, corporate law, EPA, etc. Since I'm not a lawyer, I'm not much help. I know how busy you must be, but I'd appreciate it if you could find a half hour to talk with her. Let me know, and I'll introduce you. And, don't forget to let me know when you're back in town – I'd love to get together. Best,
Rich

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/18/2018 5:32:20 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EXT: Re: Smart Sectors Meeting 4/10

On way now

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 18, 2018, at 12:20 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

I'm in a booth in the back feeling like a mob boss. You'll understand when you see.

Sent from my iPhone

On Apr 17, 2018, at 7:05 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Perfect...Anne and I will see you there

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 17, 2018, at 6:20 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

How about Pressroom on the Bentonville square? I'll get there a bit early and get a table.

Sent from my iPhone

On Apr 17, 2018, at 3:04 PM, Wagner, Kenneth
<wagner.kenneth@epa.gov> wrote:

Your town...we will be coming from embassy suites in
Rogers

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 17, 2018, at 2:47 PM, Rich Dailey
<Rich.Dailey@walmart.com> wrote:

Sure. Do you have a place in mind?

Sent from my iPhone

On Apr 17, 2018, at 1:50 PM, Wagner,
Kenneth <wagner.kenneth@epa.gov>
wrote:

Rich: Anne Idsal (R6
Administrator) will be
joining me
tomorrow. Our Poultry
Federation meeting is
10:45 - 11:45am so
wondering if you could
do a late lunch (say
12:30)?

Ken

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
(202)309-2418 cell
wagner.kenneth@epa.gov
ov

On Apr 16, 2018, at
12:20 PM, Rich Dailey
<Rich.Dailey@walmart.com> wrote:

Ok --
just let
me
know. If
you
happen
to see
Mark
Simmons
(Simmons
Foods),
he and I
are
good
friends.
His son
Todd is
CEO,
but
Mark is
Chairman and
still
pretty
involved.

Rich
Dailey,
Sr.
Director
Environmental,
Health
and
Safety

Compliance
Phone
479-
204-
9914
Fax
479-
204-
9675
rich.dailey@walmart.com

Walmart
Compliance
508 SW
8th
Street
Bentonville,
AR
72716-0505
The
Right
Way,
Every
Day!

From:
Wagner,
Kenneth
[mailto:wagner.kenneth@epa.gov]
Sent:
Monday,
April
16,
2018
12:16
PM
To:
Rich
Dailey
Subject:
EXT:
Re:
Smart
Sectors

Meeting
4/10

Your
place is
great...
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(Poultry
Federat
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Kennet
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Wagner
**Senior
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Ex. 6

office
(202)30
9-2418
cell
wagner
.kennet
h@epa.
gov

On Apr
16,
2018,
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AM,
Rich
Dailey
<Rich.D
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t.com>
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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/18/2018 1:01:37 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EXT: Re: Ken - are we talking about the stormwater project at lunch?

Anyone you want to join is great

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 18, 2018, at 8:00 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok. I may see if Toni McCrory can join us. She is my Director that is running this.

Sent from my iPhone

On Apr 18, 2018, at 7:34 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Yes...and anything else you want to visit about

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 18, 2018, at 7:31 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance

Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/18/2018 12:33:20 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Ken - are we talking about the stormwater project at lunch?

Yes...and anything else you want to visit about

Kenneth Wagner
Senior Advisor to the Administrator
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From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/17/2018 6:50:02 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Smart Sectors Meeting 4/10

Rich: Anne Idsal (R6 Administrator) will be joining me tomorrow. Our Poultry Federation meeting is 10:45 - 11:45am so wondering if you could do a late lunch (say 12:30)?

Ken

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
(202)202-2449 cell
wagner.kenneth@epa.gov

On Apr 16, 2018, at 12:20 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok -- just let me know. If you happen to see Mark Simmons (Simmons Foods), he and I are good friends. His son Todd is CEO, but Mark is Chairman and still pretty involved.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Monday, April 16, 2018 12:16 PM
To: Rich Dailey
Subject: EXT: Re: Smart Sectors Meeting 4/10

Your place is great...waiting to hear the time for my morning meeting (Poultry Federation)

Kenneth Wagner
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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 16, 2018, at 11:32 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken

Yes – the meetings with Cosmo and Smart Sectors all went really well. I'd love to get together – do you have a time in mind and do you want to come here?

Rich

Rich Dailey, Sr. Director
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rich.dailey@wal-mart.com

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508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Monday, April 16, 2018 10:40 AM
To: Rich Dailey
Subject: EXT: Re: Smart Sectors Meeting 4/10

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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Friday, April 06, 2018 3:27 PM
To: Rich Dailey
Subject: EXT: Re: Smart Sectors Meeting 4/10

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<TNC_WM_Opti Bay Program
Synopsis_Final.pdf>

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/16/2018 6:15:45 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: RE: Smart Sectors Meeting 4/10

I think I met Todd before, but I will definitely make an effort to meet Mark.

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Monday, April 16, 2018 1:19 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: RE: Smart Sectors Meeting 4/10

Ok -- just let me know. If you happen to see Mark Simmons (Simmons Foods), he and I are good friends. His son Todd is CEO, but Mark is Chairman and still pretty involved.

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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Monday, April 16, 2018 12:16 PM
To: Rich Dailey
Subject: EXT: Re: Smart Sectors Meeting 4/10

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Sent: Monday, April 16, 2018 10:40 AM
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Friday, April 06, 2018 3:27 PM
To: Rich Dailey
Subject: EXT: Re: Smart Sectors Meeting 4/10

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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/16/2018 5:15:36 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Smart Sectors Meeting 4/10

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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/24/2018 3:12:09 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: RE: Lunch

Rich:

I also enjoyed lunch and seeing the progress on the square. I will gladly keep an eye out for opportunity in the mid-atlantic area. My hope upon completing my public service is to look in the Oklahoma/Arkansas/Texas area, so I will be sad that you might be gone!

See you soon.

Ken

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Thursday, April 19, 2018 8:33 AM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; ldsol.Anne@epa.gov
Subject: Lunch

Ken/Anne

I enjoyed having lunch yesterday and giving you the latest information on our stormwater project. And, you got to try one of Bentonville's very hip restaurants – we have tons more, so come back another time. When you guys came in I was looking a picture of my 9-month old granddaughter on my shoulders that we took last week when I was back home in Maryland. While I really enjoy my job and life here, I often think about returning to the DC area to be closer to family and old friends. Ken – I've attached a resume in case you hear of something that might align with my background. It's old and not the prettiest, but it gives an idea about my core strengths and functions. Not sure that I would make a move, but the right position might be enticing. Best,
Rich

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Sent: 4/16/2018 3:40:18 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Smart Sectors Meeting 4/10

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Sent: 4/6/2018 8:26:53 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Smart Sectors Meeting 4/10

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Sent: 2/13/2018 4:14:33 PM
To: Rich Dailey [Rich.Dailey@walmart.com]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: Re: Roundtable April 12

Rich: I have copied Daisy Letendre who leads our Smart Sectors program and is very interested in speaking with your group. I'm sorry I will miss this time!

Daisy will be great!

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

On Feb 6, 2018, at 9:21 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
Do you think you'll be able to speak the morning of the 12th?

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rich.dailey@wal-mart.com

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Sent: 2/1/2018 3:17:11 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: EHS Roundtable

So I am speaking in Kansas City on the 11th for MECC, not sure of my whereabouts on the 12th yet. What is the schedule for that day?

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
U S Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC. 20460
office: (202) 564-1988
cell: Ex. 6
email: wagner.kenneth@epa.gov

This email is for official EPA business only and is subject to disclosure under the Freedom of information Act

On Feb 1, 2018, at 7:56 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
We have a Roundtable meeting April 11-12. Would you be able to give us an update on Federal/State interaction? Hope all is well.
Rich

Sent from my iPhone

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 2/8/2018 10:12:02 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Roundtable April 12

What topic would be a good focus?

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

On Feb 8, 2018, at 5:11 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

That would be great – thanks.

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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, February 08, 2018 4:10 PM
To: Rich Dailey
Subject: EXT: Re: Roundtable April 12

Mexico....The Administrator is the Chair of the Gulf Coast Economic Restoration Council that administers the BP settlement funds to the states and I am his designate on the council

I can see if I can get you another speaker

Kenneth E. Wagner
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[redacted] Ex. 6 [redacted] cell
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On Feb 8, 2018, at 5:05 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok – thanks for getting back to me. Persian Gulf, Gulf of Mexico?

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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, February 08, 2018 4:04 PM
To: Rich Dailey
Subject: EXT: Re: Roundtable April 12

Rich...sorry for the delay. I am going to be headed to the Gulf after the 11th so I will not be in DC.

Kenneth E. Wagner
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Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✧ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
The Right Way, Every Day!

From: Rich Dailey
Sent: Tuesday, February 06, 2018 8:21 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Roundtable April 12

Ken
Do you think you'll be able to speak the morning of the 12th?

Rich Dailey, Sr. Director

Environmental, Health and Safety Compliance

Phone 479-204-9914 Fax 479-204-9675

rich.dailey@wal-mart.com

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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 2/8/2018 10:09:44 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Roundtable April 12

Mexico....The Administrator is the Chair of the Gulf Coast Economic Restoration Council that administers the BP settlement funds to the states and I am his designate on the council

I can see if I can get you another speaker

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 Feb 8, 2018, at 5:05 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ok – thanks for getting back to me. Persian Gulf, Gulf of Mexico?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, February 08, 2018 4:04 PM
To: Rich Dailey
Subject: EXT: Re: Roundtable April 12

Rich...sorry for the delay. I am going to be headed to the Gulf after the 11th so I will not be in DC.

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 Feb 8, 2018, at 5:01 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

?

Rich Dailey, Sr. Director
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From: Rich Dailey
Sent: Tuesday, February 06, 2018 8:21 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Roundtable April 12

Ken
Do you think you'll be able to speak the morning of the 12th?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 2/8/2018 10:04:11 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: Re: Roundtable April 12

Rich...sorry for the delay. I am going to be headed to the Gulf after the 11th so I will not be in DC.

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

On Feb 8, 2018, at 5:01 PM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

?

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Environmental, Health and Safety Compliance
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From: Rich Dailey
Sent: Tuesday, February 06, 2018 8:21 AM
To: Kenneth Wagner (wagner.kenneth@epa.gov)
Subject: Roundtable April 12

Ken
Do you think you'll be able to speak the morning of the 12th?

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Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 11/7/2017 9:08:45 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
Subject: RE: Next week's meeting

David cannot do 11

From: Rich Dailey [mailto:Rich.Dailey@walmart.com]
Sent: Tuesday, November 7, 2017 4:07 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: RE: Next week's meeting

Sure. We had said 10 but 11 will be fine. I'll send a revised planner.

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Tuesday, November 07, 2017 10:08 AM
To: Rich Dailey
Subject: EXT: Re: Next week's meeting

How about 11/14 at 11am? David Fotouhi and Byron can join

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
U S Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC. 20460
office: (202) 564-1988
cell:
email: wagner.kenneth@epa.gov

This email is for official EPA business only and is subject to disclosure under the Freedom of information Act

On Nov 7, 2017, at 5:26 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Ken
Are we confirmed for next weeks meeting? Hope all is well.

Sent from my iPhone

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 11/9/2017 3:29:15 PM
To: Rich Dailey [Rich.Dailey@walmart.com]
CC: Scott Fulton (fulton@eli.org) [fulton@eli.org]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]
Subject: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Probably 45-50 minutes as we have a noon meeting that follows

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 Nov 9, 2017, at 10:23 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

I think we'll just be talking. I scheduled an hour -- do you have that much time?

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart ✪ Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, November 09, 2017 9:21 AM
To: Rich Dailey
Cc: Scott Fulton (fulton@eli.org); Cheatham-Strickland, Latonia
Subject: EXT: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Great...it was the screen sharing that I was considering.

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 Nov 9, 2017, at 10:18 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

WebEx allows screen-sharing but also has a simple telephone bridge. We can use your phone to call in to that. Shouldn't be a problem

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, November 09, 2017 9:14 AM
To: Rich Dailey
Cc: Scott Fulton (fulton@eli.org); Cheatham-Strickland, Latonia
Subject: EXT: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Not sure how webex works, so I have included my Special Assistant, Latonia on this to make sure we have what is needed. I have a conference phone at my conference table

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 Nov 9, 2017, at 9:48 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Thanks Ken – I've included a webex so my VP and one or two others can call in if they're available

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

Walmart * Compliance
508 SW 8th Street
Bentonville, AR 72716-0505
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From: Wagner, Kenneth [<mailto:wagner.kenneth@epa.gov>]
Sent: Thursday, November 09, 2017 8:34 AM
To: Rich Dailey
Cc: Scott Fulton (fulton@eli.org)
Subject: EXT: Re: Ken - please let me know where we will be meeting when you have a minute. Thanks.

Rich: come to the Federal Triangle entrance and go to the North side security and my room number is 3307 and my extension is 1988....I will come to get you once you have cleared

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 Nov 9, 2017, at 7:47 AM, Rich Dailey <Rich.Dailey@walmart.com> wrote:

Rich Dailey, Sr. Director
Environmental, Health and Safety Compliance
Phone 479-204-9914 Fax 479-204-9675
rich.dailey@wal-mart.com

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