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January 19, 2018

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Pruitt:

I write to detail my strong concerns over the damage done to the Environmental Protection Agency's (EPA) policy agenda, personnel, and standard of transparency during your tenure as Administrator. Under your oversight, the core EPA mission has been consistently undermined, often through secretive and opaque internal decisions. There have been a series of attacks against the agency's ability to protect public health and safety, regulate industry, and hold polluters accountable. This onslaught leaves the American public vulnerable to environmental and health catastrophes, and is especially alarming when viewed in context with the repeated ethical questions raised by your conduct and the conduct of your senior staff. I ask that you respond to the questions listed below so that I and the American people can better understand your management of the EPA.

Since its establishment in 1970, the EPA has made it possible for the goals of our nation's environmental laws to transform into reality. Throughout both Republican and Democratic administrations, the efforts of EPA staff and leadership have led to important environmental achievements, including: a sharp decline in air pollution; cleaner water for drinking, swimming, and fishing; large reductions in harmful emissions from cars, trucks, and factories; and the cleanup of hundreds of contaminated waste sites. The EPA has also been a leader in mitigating the effects of climate change across the United States, protecting public health, the environment, and the economy. However, your actions as Administrator seem to confirm your longstanding personal animosity toward the work of the agency and toward the talented career employees serving at the EPA.

In 1983, former EPA director William D. Ruckelshaus, who served under two Republican presidents, directed employees to operate “in a fishbowl.”¹ Administrator Ruckelshaus wanted to ensure that the EPA and its representatives were open and communicative to all stakeholders and the public and would operate with transparency. Despite the longstanding history of honoring and following the ethos of this memo, the culture you have created during your tenure as Administrator of the EPA is one of secrecy and suspicion. As a result, your decisions and the actions of the agency have raised many questions regarding your schedule, budgetary decisions, policy changes, and interactions with industry.

Given these many concerns, I request answers to the following questions by the close of business on Friday, January 26, 2018:

Policy Decisions

Decline in Enforcement Activities: News media³ and advocacy groups² have uncovered a major shift in EPA enforcement activities during your tenure. As the EPA is tasked with protecting public health and the environment, a rapid decrease in activities meant to prevent and penalize pollution is cause for significant concern.

1. What factors have contributed to the fact that the EPA has started about one-third fewer enforcement cases than began in the first nine months under the Obama Administration and one-quarter fewer than in the Bush Administration?³
2. What factors have contributed to the drastic cut in EPA requests for injunctive relief, compared to the first nine months in both the Bush and Obama Administrations?
3. What factors have contributed to the decline in requests for information issued under the authority granted by the Clean Water Act, Clean Air Act, or the Resource Conservation and Recovery Act, including requests for air and water pollution testing, compared to previous administrations—a decline which could greatly impede enforcement efforts necessary to protect public health?
4. Can you provide a justification for the memo⁴ that directs EPA investigators to seek special authorization from the EPA Office of Enforcement and Compliance Assurance (OECA) headquarters for requests for information in circumstances where state

¹ Ruckelshaus, William D. “Fishbowl Memo.” Environmental Protection Agency. May 19, 1983. As visited on January 18, 2018. <https://www.regulationwriters.com/downloads/EPA-Fishbowl-Memo-05-19-1983-Ruckelshaus.pdf>

² Environmental Integrity Project. “Civil Penalties Against Polluters Drop 60 Percent So Far Under Trump.” August 10, 2017. As visited on January 18, 2018. <https://www.environmentalintegrity.org/news/penalties-drop-under-trump/>

³ Lipton, Eric, and Danielle Ivory. “Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers.” The New York Times. December 10, 2017. Accessed January 18, 2018. <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>.

⁴ Shinkman, Susan. “Interim Procedures for Issuing Information Requests Pursuant to Clean Air Act § 114, Clean Water Act § 308, and RCRA §3007.” Environmental Protection Agency. May 31, 2017. Accessed January 18, 2018. <https://www.documentcloud.org/documents/4324892-EPA-Clean-Air-Act-and-Its-Power-to-Request.html#document/p60/a392202>

authorities object to the request or the interpretation of the law, the media or politicians may be interested in the request, or requests will require sampling or testing beyond that already required by law and not completed by the entity?

5. Have EPA officials rejected any requests for information issued by regional EPA staff under the authority granted by the Clean Water Act, Clean Air Act, or the Resource Conservation and Recovery Act that were submitted to OECA headquarters for authorization? If so, please describe.
6. What is the longest and what is the average time that it takes for requests for information submitted to OECA headquarters to be approved or denied and returned to regional EPA offices?
7. Have you or political appointees at the EPA told state officials or industry representatives that the EPA will cease to investigate or enforce some pollution cases? If so, please provide the dates of those conversations and how this decision was reached, as well as transcripts, if possible.
8. Have you or your political appointees restricted the ability of EPA enforcement officers to order pollution tests under Clean Water Act, Clean Air Act, or Resource Conservation and Recovery Act authority in any way beyond requiring them to proactively submit requests for information to OECA headquarters for approval? If so, please describe exactly how this ability has been changed during your tenure, detailing what additional steps EPA staff must take to order requests for information.
9. Please provide a detailed list of the companies and plants that have received notices of violation under the Clean Water Act, Clean Air Act, or the Resource Conservation and Recovery Act during the final nine months of Obama Administration, but that have not yet had any EPA penalties levied upon them.
10. Please provide a detailed list of the times and occasions where, under your leadership, the EPA has asked to delay a consent decree that was proposed during the final nine months of the Obama Administration.
11. A subsidiary of Koch Industries has challenged the EPA's authority to issue requests for air pollution testing. Please provide a list of all meetings you or your political appointees took with Koch Industries or its subsidiaries or any entity representing these organizations, as well as with the the North Dakota Petroleum Council, which has also criticized the EPA's use of requests for information.⁵
12. Please provide a detailed list of occasions where, under your leadership, the EPA withdrew or accepted lower civil monetary penalties than were recommended under the previous administration and the rationale for these decisions.

Mining Regulations: On December 1, the EPA announced that it would be reversing a rule⁶ proposed under the last administration that would have required that companies mining non-coal

⁵ Ness, Ron. North Dakota Petroleum Council. March 31, 2017. Accessed January 19, 2018. <https://www.documentcloud.org/documents/4324892-EPA-Clean-Air-Act-and-Its-Power-to-Request.html#document/p52/a392199>

⁶ Environmental Protection Agency. "Financial Responsibility Requirements Under CERCLA § 108(b) for Classes of Facilities in the Hardrock Mining Industry." Federal Register. January 11, 2017. Accessed January 18, 2018.

minerals (like gold, silver, copper or lead) demonstrate to the EPA that they can afford cleanup costs once the mine is closed, through mechanisms like bonds, insurance, or self-insurance.⁷

13. Please provide the EPA's views as to who would be responsible for any necessary cleanup costs once these mines are closed, including any estimated costs to the U.S. Treasury over the next 10 fiscal years in the absence of this rule.
14. In a statement, you said that you are "confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities."⁸ Please detail the federal requirements that address those risks and what industry practices are in place that would prevent cleanup costs from being passed along to the American taxpayer.
15. Please provide my office with any memos, meeting notes, emails, or other documentation on this proposed rule reversal during the year of 2017 between the Office of the Administrator or political appointees, including you, and any one or combination of the following groups: the Western Governors' Association, the National Mining Association, the state of Utah, the state of Arizona, or the state of Idaho.

Methane Emissions: Late last April, you announced that the EPA will reconsider its methane emissions rule set by the last administration that aimed to combat climate change and protect public health, and simultaneously stated that during the "reconsideration process," the EPA would place a 90-day stay on oil and gas companies' compliance with the rule.⁹ Methane is the second-biggest driver of climate change after carbon dioxide. Even though the D.C. Circuit Court of Appeals ruled 2-1 against the EPA's suspension of the rule, the EPA's rationale for pursuing this issue still raises significant questions.

16. Please provide a comprehensive list of groups and organization that discussed the methane rule during meetings with you or other senior staff, including the dates and attendees of those meetings, as well as any meeting notes, agendas, memoranda, or other documents related to these meetings.
17. What are the existing regulations that would curb the leaking of methane and other harmful pollutants without this rule?

New Source Review Program: Since 2010, the EPA had argued that construction undertaken by the DTE Energy Company at DTE's Monroe Power Plant in Michigan, one of the largest coal-

<https://www.federalregister.gov/documents/2017/01/11/2016-30047/financial-responsibility-requirements-under-cercla-108b-for-classes-of-facilities-in-the-hardrock>.

⁷ Cama, Timothy. "EPA seeks to ensure mining companies can pay cleanup costs." The Hill. December 02, 2016. Accessed January 18, 2018. <http://thehill.com/policy/energy-environment/308474-epa-seeks-to-ensure-mining-companies-can-pay-cleanup-costs>

⁸ "EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements." Environmental Protection Agency. December 1, 2017. Accessed January 19, 2019. <https://www.epa.gov/newsreleases/epa-determines-risks-hardrock-mining-industry-minimal-and-no-need-additional-federal>

⁹ Green, Miranda, and Wade Payson-Denney. "EPA chief: Agency to reconsider methane emissions rule." CNN. April 20, 2017. Accessed January 18, 2018. <http://www.cnn.com/2017/04/19/politics/environmental-protection-agency-methane/index.html>

powered plants in the country, required a preconstruction permit under the new source review (NSR) program. The EPA filed an enforcement action as a result of projected emissions increases of sulfur dioxide and nitrogen that would have resulted from this facility overhaul.¹⁰ On Dec. 7, 2017, you issued a memo reversing the position the EPA had taken since 2010 on pollution management for DTE Energy.¹¹ The memorandum states that the EPA will no longer “initiate enforcement in such future situations unless actual post-project emissions data indicate that a significant emissions increase or significant net emissions increase did in fact occur.” The memo also details how the EPA will now apply the NSR regulations in a way that defers to the “intent of an owner or operator to manage emissions,” rather than basing decisions solely on quantifiable information like the projections of future emissions.

18. Please provide a justification for this regulatory change, which could be read as preventing the EPA from conducting any enforcement activities until after companies release dangerous pollutants into American communities.
19. How do you plan to assess the intent of an owner or operator to manage future emissions from the project on an ongoing basis to prevent a significant net emissions increase from occurring?
20. As the memo states that “decisions about how to proceed in ongoing enforcement matters will be made on a case-by-case basis,” please provide a list of any other NSR enforcement cases that will no longer be pursued under this new standard and the status of the decision-making process on any case that has not yet been resolved.
21. Does the EPA now intend to no longer pursue enforcement of its projection regulation in any cases where source owners or operators are determined to have failed to perform a required pre-project applicability analysis or failed to follow the calculation requirements of the regulations, or only in the DTE Energy case? If so, what is the EPA’s justification for this decision, and how will the agency continue to ensure that air quality is protected?
22. Do you intend to notify and consult the public on this important issue through open comment and public meetings advertised in the Federal Register, as required by the Administrative Procedures Act?

Agency Management and Budget

Advisory Panels: You issued rules preventing anyone receiving an EPA grant from serving on scientific advisory panels.¹² As a result, many expert researchers can no longer provide advice on technical questions and scientific best practices to the EPA. However, despite your professed

¹⁰Evans, Carlos. "U.S. v. DTE Energy Co. (DTE II)." American Bar Association. Accessed January 18, 2018. https://www.americanbar.org/groups/environment_energy_resources/committees/dch/ag/20170613_us_v_dte_energy_co.html

¹¹ Pruitt, E. Scott. “New Source Review Preconstruction Permitting Requirements: Enforceability and Use of the Actual-to-Projected-Actual Applicability Test in Determining Major Modification Applicability.” Environmental Protection Agency. December 7, 2017. Accessed January 18, 2018. https://www.epa.gov/sites/production/files/2017-12/documents/nsr_policy_memo.12.7.17.pdf

¹²Pruitt, E. Scott. “Strengthening and Improving Membership on EPA Federal Advisory Committees.” Environmental Protection Agency. October 31, 2017. Accessed January 18, 2018. https://www.epa.gov/sites/production/files/2017-10/documents/final_draft_fac_directive-10.31.2017.pdf

concern over conflicts of interest, there was no guidance issued on how to prevent improper conflicts of interest for panel appointees who have worked for companies or trade groups (either directly or as a contracted lobbyist) that could be subject to EPA regulations.¹³

23. Please provide a list of Advisory Panel members who have worked in or lobbied for industries regulated by the EPA over the five years preceding their nomination to the panel, noting in which industries and what capacity the member worked.
24. Please provide a rationale for discerning between this financial conflict of interest and the alleged conflict of interest possessed by scientists who have received EPA grant money.
25. Please describe the ethics review process for Advisory Panel members with financial ties to industries regulated by the EPA.
26. Please provide an explanation on how you determined that the existing conflict of interest policies for EPA advisory boards were insufficient to prevent scientific researchers receiving EPA grants from being unethically partial or biased.

Personnel Downsizing: Since January 2017, more than 700 EPA employees have left the agency or been forced to leave or retire, and more buyouts are expected. This number includes about 200 scientists, nearly 100 environmental protection specialists, and nine department directors.¹⁴ The EPA, which is responsible for protecting the health and environment of the American people, is now at its smallest size since the last year of the Reagan Administration—despite the fact that the U.S. population has grown by 80 million people since that time.¹⁵

Scientists are also not being replaced, accounting for only 5 percent of the new hires this year. At the same time that the EPA is hemorrhaging technical expertise, you are disproportionately increasing the number of political appointees and administrators. The Office of Chemical Safety and Pollution Prevention hired seven people and lost 54, and the Office of Water hired one person and lost 26, but your administrative office hired 73 people to replace the 53 who left.

27. Please provide data on the number of political appointees hired at the EPA under your tenure and political appointees under the three preceding EPA administrators.
28. Please provide data on the number of career EPA staff under your tenure and the number of career staff under the three preceding EPA administrators. What is the current number of Full-Time Equivalent (FTE) staff at the EPA?

¹³ Dennis, Brady, and Juliet Eilperin. "Scott Pruitt blocks scientists with EPA funding from serving as agency advisers." The Washington Post. October 31, 2017. Accessed January 18, 2018.
https://www.washingtonpost.com/national/health-science/scott-pruitt-blocks-scientists-with-epa-funding-from-serving-as-agency-advisers/2017/10/31/959d91ac-be5a-11e7-959c-fe2b598d8c00_story.html?tid=ainl&utm_term=.908e2b75273c

¹⁴ Friedman, Lisa, Marina Affo, and Derek Kravitz. "E.P.A. Officials, Disheartened by Agency's Direction, Are Leaving in Droves." The New York Times. December 22, 2017. Accessed January 18, 2018.
<https://www.nytimes.com/2017/12/22/climate/epa-buyouts-pruitt.html>

¹⁵ Cama, Timothy. "EPA staffing falls to Reagan-era levels." The Hill. January 09, 2018. Accessed January 18, 2018.
<http://thehill.com/policy/energy-environment/368090-epa-staffing-hits-reagan-levels>

29. Since you have provided data to the press indicating that the EPA could cut its staff by 47 percent by 2021,¹⁶ can you commit to cutting the number of political appointees by an equal amount by the same time? If not, why not?

Use of “Lean” Method: News reports indicate that under your leadership, the EPA is using a business efficiency system known as “lean” in agency activities.¹⁷ The “lean” management philosophy was developed to minimize waste within a manufacturing system, and originated within the Toyota Production System in the 1990s. I am deeply concerned that the integration of “lean” philosophy into environmental protection has resulted in the prioritization of industry over public safety. A former EPA employee said that the use of “lean” principles required her to curb requests for further information regarding pollution on Superfund sites.¹⁸

30. Does the EPA agree with the conclusion drawn in the Arizona “lean” method instructional video¹⁹ that the “customer” of environmental protection work is not the American taxpayer, but actually the company being regulated? If so, how does that correspond to the EPA’s mission to protect public health and the environment?
31. Has the “lean” method been implemented at any EPA projects, including at Superfund sites? If so, please provide a list of which projects and at what time the implementation directive occurred.
32. Please detail employment information, including title, for Veronica Garcia, who has been reportedly teaching “lean” management to EPA staff.²⁰
33. Please provide any documents related to how the “lean” principles are being integrated into Superfund site management.

Definers Public Affairs: Last year, a consulting firm, Definers Public Affairs, was awarded a \$120,000 no-bid contract by the EPA for the purpose of conducting “news analysis.” Definers Public Affairs shares office space and multiple top executives with America Rising, a Republican political operation with several offshoots that have investigated EPA staff. Definers Public Affairs pulled out of the contract once it was disclosed that a lawyer among its top executives had been investigating agency employees critical of the Trump administration.²¹ Sen. Whitehouse and Sen. Harris recently sent you a letter regarding this contract. In addition to the questions enumerated in their letter, I would like to add the following questions:

¹⁶ Bedard, Paul. "Success: EPA set to reduce staff 50% in Trump's first term." Washington Examiner. January 09, 2018. Accessed January 18, 2018. <http://www.washingtonexaminer.com/success-epa-set-to-cut-nearly-50-of-staff-in-trumps-first-term/article/2645362>

¹⁷ Stern, Marcus. "EPA Using Controversial Process to Push Cleanup of America's Most Toxic Sites." The Weather Channel. Accessed January 18, 2018. <https://weather.com/science/environment/news/2017-12-19-epa-scott-pruitt-lean-superfund-sites>

¹⁸ Ibid.

¹⁹ Arizona Management System. "Knowing your Customer." Office of the Arizona Governor Doug Ducey. Accessed January 18, 2018. <https://ams.az.gov/knowing-your-customer>

²⁰ Stern. "EPA Using Controversial Process to Push Cleanup of America's Most Toxic Sites."

²¹ Lipton, Eric, and Lisa Friedman. "Consulting Firm Whose Staff Scoured E.P.A. Employees' Emails Loses Media Contract." The New York Times. December 19, 2017. Accessed January 18, 2018. <https://www.nytimes.com/2017/12/19/climate/epa-definers-public-affairs-contract.html>

34. Please provide a justification for the no-bid contract for the services procured from Definers Public Affairs.
35. Please explain why scientists receiving grant funding from the EPA are considered to have a conflict of interest, while Definers Public Affairs was not when hired.
36. Please disclose all communications between the Office of the Administrator, senior EPA staff (including yourself) and Definers Public Affairs or America Rising since February 17, 2017.
37. Please provide the contents of all Freedom of Information Act (FOIA) requests submitted by vice president of Definers Public Affairs, Allan Blutstein, including inquiries made and results returned by the EPA, that have been made to the EPA since President Trump took office.

Hiring Authority under Safe Drinking Water Act: Following a request from Sen. Carper and Sen. Whitehouse on August 18, 2017, the Government Accountability Office (GAO) agreed to launch an inquiry into your potential circumvention of ethics rules during the EPA hiring process.²² This inquiry is looking into your use of a provision of the Safe Drinking Water Act that allows the EPA to hire up to 30 people “without regard to civil service laws,” which may have been abused in order to hire a number of political appointees with conflicts of interest.

38. Please provide any communication between the Office of the Administrator, the Office of Personnel Management, and/or the Presidential Personnel Office on the Safe Water Drinking Act hiring exception, including any use of the phrase “without regard to civil service laws.”
39. How many personnel have been hired using this authority, and what functions are they performing?
40. Please provide a justification for the hiring of personnel through this provision that explains how each role is consistent with the authority granted through the Safe Drinking Water Act.

Secrecy

Travel Schedule: The EPA has long operated under a bipartisan tradition of transparency, with Administrators and senior staff from both parties releasing travel schedules²³ and other details. You have not done so, prompting FOIA requests and other inquiries from legislators, public interest groups, and news organizations seeking to keep the EPA accountable to the public.

41. Have you visited any of the EPA’s 10 regional offices? Please detail which ones and the dates on which those visits occurred.

²² “Absent Answers from EPA, Carper and Whitehouse Ask GAO to Review Hiring Practices and Ethics Requirements for Political Appointees.” U.S. Senate Committee on Environment and Public Works. August 18, 2017. Accessed January 18, 2018. <https://www.epw.senate.gov/public/index.cfm/2017/8/absent-answers-from-epa-carper-and-whitehouse-ask-gao-to-review-hiring-practices-and-ethics-requirements-for-political-appointees>

²³ “Senior Managers Schedules.” Environmental Protection Agency. Accessed January 18, 2018. <https://yosemite.epa.gov/opa/admpress.nsf/Calendars?openview>

42. If the EPA Office of the Inspector General finds that your repeated flights to Oklahoma were improper,²⁴ will you commit to repaying the American people in full for your travel and the travel of your security entourage, including the cost of any cancelled or rescheduled flights?
43. Please provide an updated schedule and justification for each occasion where taxpayers paid for you, your security detail, and any other guests or EPA staff to take non-commercial (privately operated) flights.
44. Can you commit to making senior management calendars, including your own, transparent and regularly available to the public, as has been done in the past under both Democratic and Republican leadership? If not, why not?

Clean Water Act Rule: Since 1983, the EPA has provided a summary of any meetings related to a rulemaking and posted that information in the docket establishing the public record that the EPA will use to justify its decision.²⁵ But so far, the agency has not posted any information about the series of private meetings that you have held with industry representatives to discuss the repeal of the 2015 Clean Water Act rule. These meetings were not open to the public and no summaries were disclosed.

45. For each "Waters of the U.S." (WOTUS) Roundtable held, please provide a list of participants, the agenda, minutes or meeting notes, and any testimony or other materials presented or transcripts that were created, including copies of photos or videos taken.
46. Please provide any communications between third parties and the EPA related to these events, including on the set-up and arrangements for the meeting, the purpose or strategy of these events, meeting topics, the agenda, and potential attendees.
47. Please describe EPA attendance at these Roundtables or meetings, including yourself, other political appointees, and/or career employees.

Speeches: Former EPA Administrators routinely posted the contents of their speeches online. You have not. The American people deserve to know what is said by a member of the President's cabinet about Administration policies that greatly impact the public.

48. What is your rationale for not complying with this tradition of open disclosure of speeches?
49. When will you post all of your official speeches and remarks made in your capacity as EPA Administrator in 2017 online, including text as well as any videos or photography?
50. Will you commit to the practice of publishing all speech materials publicly going forward within 30 days of any engagement? If not, why not?

²⁴ Trefry, John. "Project Notification: Audit of EPA's Adherence to Policies, Procedures and Oversight Controls Pertaining to the Administrator's Travel." Environmental Protection Agency. August 28, 2017. Accessed January 18, 2018. <https://www.documentcloud.org/documents/4064980-Pruitt-Sked-and-McCarthy-Sked.html#document/p407/a379540>

²⁵ Ruckelshaus, William D. "Pruitt is turning his back on transparency at the EPA." The Washington Post. November 01, 2017. Accessed January 18, 2018. https://www.washingtonpost.com/opinions/pruitt-is-turning-his-back-on-transparency-at-the-epa/2017/11/01/cd2c1b84-bd88-11e7-8444-a0d4f04b89eb_story.html?utm_term=.27f9a33cafb4

Task Forces: Information provided in response to a FOIA lawsuit filed by Public Employees for Environmental Responsibility indicate that the “Superfund Task Force” that you commissioned on May 22, 2017 generated no record of its deliberations beyond the final recommendations that were published on June 21.²⁶ This means that there was no agenda, no meeting minutes, no written drafts, and no attendance records for a task force that was working on one of your stated top priorities as EPA Administrator. The use of task forces to guide the decision-making process can lead to decisions being made in secret, away from the public eye, and outside the established public rulemaking process—something that raises serious alarms to those of us in the Senate concerned with transparent governance.

In February 2017, President Trump directed agencies to establish task forces that would develop a list of regulations that should be targeted for elimination, edit, or replacement. While you issued an agency-wide memorandum of implementation that included the names of EPA staff who would lead and work on the Regulatory Reform Task Force on March 24, 2017,²⁷ no further details about the task force or its process have been made public. The president’s Executive Order required that this task force submit a progress report to you by mid-May 2017.²⁸

51. Please describe in detail the drafting of the Superfund Task Force Recommendations report, including EPA political and career staff involvement, and provide all draft interim reports with dates and redlines.
52. Please provide the May progress report for the Regulatory Reform Task Force, any subsequent progress reports, and the schedule by which further progress reports will be requested.
53. Please provide the calendar and schedule for the Regulatory Reform Task Force members, dating back to March 24, 2017.
54. Please provide any documents relating to or criteria being used by the Regulatory Reform Task Force to determine which regulations it will focus on.
55. Can you commit to a more transparent process for task forces going forward, including publishing of planning documents, meeting minutes and attendees, reports, and timelines for decision-making?

Secret Email Accounts: You used at least three separate email accounts, including one private account that was occasionally used for state business, as Attorney General of Oklahoma. During

²⁶ “Pruitt Superfund Plan Leaves No Fingerprints.” Public Employees for Environmental Responsibility. December 20, 2017. Accessed January 18, 2018. <https://www.peer.org/news/news-releases/pruitt-superfund-plans-leave-no-paper-trail.html>

²⁷ Pruitt, E. Scott. “Executive Order 13777: Enforcing the Regulatory Reform Agenda.” Environmental Protection Agency. March 24, 2017. Accessed January 18, 2018. https://www.epa.gov/sites/production/files/2017-04/documents/regulatory_reform_agenda.pdf

²⁸ Executive Office of the President. “Enforcing the Regulatory Reform Agenda.” Federal Register. February 24, 2017. Accessed January 18, 2018. <https://www.federalregister.gov/documents/2017/03/01/2017-04107/enforcing-the-regulatory-reform-agenda>

your confirmation process, you gave incomplete and misleading answers²⁹ as to which email addresses you used while at your previous post. You notified the Committee on Environment and Public Works that you are using only one email address, Pruitt.Scott@epa.gov, for official business.

56. Since that disclosure, have you used any other e-mail addresses or other electronic forms of communication for official EPA business?

57. Since your confirmation as EPA Administrator, have you used any other email addresses or electronic forms of communication to communicate for any purpose with any representative of any entity that is regulated by the EPA? If so, please detail.

It is imperative that Congress is able to perform its required oversight of the EPA's actions under your leadership. I look forward to your prompt response on these issues. I respectfully request that you provide your response no later than close of business on Friday, January 26, 2018. Should you have any questions or concerns, please have your staff contact Ms. Hannah Vogel or Dr. Avenel Joseph of my staff at 202-224-2742.

Sincerely,



Edward J. Markey
U.S. Senator

²⁹ Whitehouse, Sheldon and Thomas R. Carper, Bernard Sanders, Jeffrey A. Merkley, Edward Markey, and Tammy Duckworth. "Scott Pruitt Emails." June 15, 2017. Accessed January 18, 2018.
https://www.whitehouse.senate.gov/imo/media/doc/2017%2006%2015%20Scott%20Pruitt_Emails.pdf