From: Persampieri, Nick

Sent: Monday, April 27, 2020 4:35 PM
To: MatthewDHardin@protonmail.com
Subject: Vermont Public Records Act Request

Mr. Hardin,

Please see the attached letter and documents. Thank You.

Nick

Nicholas F. Persampieri Assistant Attorney General Office of the Attorney General 109 State Street Montpelier, VT 05609 (802) 828-6902 THOMAS J. DONOVAN, JR. ATTORNEY GENERAL

JOSHUA R. DIAMOND DEPUTY ATTORNEY GENERAL

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STATE OF VERMONT OFFICE OF THE ATTORNEY GENERAL 109 STATE STREET MONTPELIER, VT 05609-1001

April 27, 2020

Matthew D. Hardin Executive Director Energy Policy Advocates

By e-mail to: <u>MatthewDHardin@protonmail.com</u>

Re: Vermont Public Records Act Request

Dear Mr. Hardin:

I write in response to your Vermont Access to Public Records Act request dated March April 12, 2020, which was received by the Vermont Attorney General's Office on the following business day, Monday, April 13, 2020. In that request you sought:

- 1. all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:) Nick Persampieri, that b) includes, *anywhere*, whether in an email address, in the sent, to, from, cc, bcc fields, or the Subject fields or body of an email or email "thread", including also in any attachments, "Multistate AG Coordination Call", and c) was sent or received on October 29, 2019, December 3, 2019, and/or December 17, 2019; and
- 2. all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:) Nick Persampieri, that b) includes in the subject field, i) GHG Emissions

Affirmative Legislation and/or ii) Affirmative Climate, and c) is dated from June 17, 2019 through April 9, 2020, inclusive.

By letter dated April 16, 2020, this office extended the time limit for its response, and advised that it would further respond on or before April 27.

In response to Request No. 1, we attach four records, consisting of two emails dated December 3, 2019, two emails dated December 17, 2019, and their attachments. We have reducted confidential security codes from these records. These are the only records we have that are responsive to the request.

In response to Request No. 2, please be advised that we have withheld forty-one records because they are exempt from disclosure pursuant to 1 V.S.A. § 371(c)(4) (attorney-client communications, attorney work product). Six of the withheld records consist of internal Vermont Attorney General's Office communications or communications between the Vermont Attorney General's Office and the Vermont Agency of Natural Resources. The other thirty-five withheld records consist of communications among Attorney General's offices of multiple states, including Vermont, regarding issues of common interest, made in connection with anticipated litigation. We do not have any records responsive to this request that are not exempt from disclosure.

If you feel any information or records have been withheld in error, you may appeal to Deputy Attorney General Joshua Diamond at the following email address: Joshua.Diamond@vermont.gov.

Sincerely,

/s/Nicholas F. Persampieri

Nicholas F. Persampieri Assistant Attorney General From: Myers, Michael

To: Aaron Kleinbaum (NJ); Aaron Love (NJ); Adam Duh (PADEP); Aimee Thomson (PA AG); Alison Hoffman (RI);

Amy Beatie (CO); Andrea Baker; Andy Goldberg; Ann Johnston (PA); Anne Minard (NM); Arsenio Mataka (CA); Asher Spiller; Aurora Janke; Beth Mullin (DC)"; "Bill F. Cooper (Hi)"; Bill Sherman -- WA AG"s office; Blake Thomas (NC); Bo Reiley; Bobby Schena (PA DEP); Brad Motl (WI); Brian Caldwell (DC); Burianek, Lisa; Carrie Noteboom (CO); Cheerful Catuano (WA AG); Chris Ryder (PA DEP); Christie Vosburg (CA); Christopher Courchesne; Cindy Chang (WA); Costello, Morgan; Dan Nubel (NV); Daniel Rottenberg (IL); David Apy (NJ); David Hoffman (DC); David Zaft (CA); "David Zonana (Ca)"; Dennis Beck (CA); Dennis Ragen; Dianna Shinn (NJ); Dirth, Eric; "Elaine Meckenstock (Ca)"; Elizabeth Davis (PA DEP); Elizabeth Morrisseau; Emily Nelson (WA); Emily Vainieri; Eric Katz (CA); Francisco Benzoni (NC AG); Greg Schultz; Heather Leslie; "Jacob Larson (Ia)"; Jameson Tweedie (DE); Jason James (IL); JB Howard (MD); Jennie Demjanick (PA DEP); Jennifer Fradel (NJ); Jesse Walker; Jill Lacedonia (CT); Jillian Riley; "Jonathan Wiener (Ca)"; Josh Auerbach; Josh Segal (MD); Kavita Lesser (CA); "Kristen Furlan"; Kristen Mitchell (WA); Laura Watson; "Lauren Maxwell (DC)"; Leah Tulin (MD AG); Leigh Currie (MN); Leslie Frederickson (MN PCA); Leslie Seffern; "Liz Rumsey (Ca)"; Lynn Angotti; Magliaro, Jeremy; Marc Bernstein (NC); Margaret Murphy (PA); Martin Goyette (CA); Mary Sauer (ME); "Matthew Dunn (II)"; Matthew Levine; McCabe, Gavin; Megan Herzog; Megan Hey (CA); Megan Ulrich (MDE); Melissa Hoffer; Menard, Brenda (NC); Michelle Moses (PA); Mike Fischer (PA AG); Nate Zolick (WI); Neil Gordon (MI); Persampieri, Nick; Oliver Larson (MN); Patrick Flanagan; Paul Garrahan; Paul Kugelman (VA); Pete Surdo (MN); "Ralph Durstein (De)"; Robert Snook; "Roberta James (Md)"; Robyn Bender (DC AG); Sally Magnani; Sarah Kogel-Smucker (DC); Sarah Morrison (CA AG); Scott Boak (ME); "Scott Koschwitz (Ct)"; Seth Schofield (MA); Skip Pruss (MI); Srolovic, Lemuel; Stephen St. Vincent (PA); Steve Novick (OR); Steven Goldstein (MD); Susan Shinkman (DC); Tania Maestas; Taylor Crabtree (NC); Tim Nord; "Timothy Sullivan (Ca)"; Tom Y (WA); "Tracy

Triplett (Ma)"; Tricia Jedele; Turner Smith (MA); "Valerie Edge (De)"; Wagner, Monica; Washburn, Peter; William

<u>Grantham</u>

Shterngel, Max

Subject: RE: Multistate AG Coordination Call Today
Date: Tuesday, December 3, 2019 1:46:29 PM

Attachments: 2019.11.12 NEPA Survey Report Final (Loznak and Siegel) FINAL.pdf

A couple of other items of interest to pass along:

1. GAO report on climate change impacts at Superfund sites: https://www.gao.gov/products/GAO-20-73

2. Sabin Climate Center report on federal agency NEPA reviews of greenhouse gas impacts (attached)

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From: Myers, Michael

Sent: Tuesday, December 3, 2019 11:53 AM

To: Aaron Kleinbaum (NJ) <Aaron.Kleinbaum@law.njoag.gov>; Aaron Love (NJ)

<Aaron.Love@law.njoag.gov>; Adam Duh (PADEP) <aduh@pa.gov>; Aimee Thomson (PA AG)

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Morrison (CA AG) <Sarah.Morrison@doj.ca.gov>; Scott Boak (ME) <scott.boak@maine.gov>; 'Scott
```

Cc: Shterngel, Max <Max.Shterngel@ag.ny.gov> **Subject:** Multistate AG Coordination Call Today

All, the security code for today's 2 pm eastern call is _____. Attached/linked below are some materials for discussion. Also, it's been awhile since we last updated our multistate directory. Please review the attached version (from April) and send me any edits. We don't necessarily need to list everyone, but all attorneys who are regulars on the bi-monthly calls should be in the directory to facilitate communication between our offices. Thanks all.—Mike

https://www.supremecourt.gov/orders/courtorders/112519zor_8mj9.pdf (Supreme Court orders list, see pp. 17-18, Kavanaugh statement re. cert. denial in Paul v. U.S.) https://s3.amazonaws.com/public-inspection.federalregister.gov/2019-26034.pdf (EPA advance notice of proposed rulemaking re. PFAS toxics inventory reporting requirements) https://www.epa.gov/sites/production/files/2019-11/documents/prepublication_copy_rmp_reconsideration_finalrule_frdocument_signed2019-11-20.pdf (EPA final rule rolling back chemical accident safety requirements)

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From: Myers, Michael

To: Aaron Kleinbaum (NJ); Aaron Love (NJ); Adam Duh (PADEP); Aimee Thomson (PA AG); Alison Hoffman (RI);

Amy Beatie (CO); Andrea Baker; Andy Goldberg; Ann Johnston (PA); Anne Minard (NM); Arsenio Mataka (CA); Asher Spiller; Aurora Janke; Beth Mullin (DC)"; "Bill F. Cooper (Hi)"; Bill Sherman -- WA AG"s office; Blake Thomas (NC); Bo Reiley; Bobby Schena (PA DEP); Brad Motl (WI); Brian Caldwell (DC); Burianek, Lisa; Carrie Noteboom (CO); Cheerful Catuano (WA AG); Chris Ryder (PA DEP); Christie Vosburg (CA); Christopher Courchesne; Cindy Chang (WA); Costello, Morgan; Dan Nubel (NV); Daniel Rottenberg (IL); David Apy (NJ); David Hoffman (DC); David Zaft (CA); "David Zonana (Ca)"; Dennis Beck (CA); Dennis Ragen; Dianna Shinn (NJ); Dirth, Eric; "Elaine Meckenstock (Ca)"; Elizabeth Davis (PA DEP); Elizabeth Morrisseau; Emily Nelson (WA); Emily Vainieri; Eric Katz (CA); Francisco Benzoni (NC AG); Greg Schultz; Heather Leslie; "Jacob Larson (Ia)"; <u> Jameson Tweedie (DE); Jason James (IL); JB Howard (MD); Jennie Demjanick (PA DEP); Jennifer Fradel (NJ);</u> Jesse Walker; Jill Lacedonia (CT); Jillian Riley; "Jonathan Wiener (Ca)"; Josh Auerbach; Josh Segal (MD); Kavita Lesser (CA); "Kristen Furlan"; Kristen Mitchell (WA); Laura Watson; "Lauren Maxwell (DC)"; Leah Tulin (MD AG); Leigh Currie (MN), Leslie Frederickson (MN PCA), Leslie Seffern, "Liz Rumsey (Ca)", Lynn Angotti, Magliaro, Jeremy; Marc Bernstein (NC); Margaret Murphy (PA); Martin Goyette (CA); Mary Sauer (ME); "Matthew Dunn (II)"; Matthew Levine; McCabe, Gavin; Megan Herzog; Megan Hey (CA); Megan Ulrich (MDE); Melissa Hoffer; Menard, Brenda (NC); Michelle Moses (PA); Mike Fischer (PA AG); Myers, Michael; Nate Zolick (WI); Neil Gordon (MI); Persampieri, Nick; Oliver Larson (MN); Patrick Flanagan; Paul Garrahan; Paul Kugelman (VA); Pete Surdo (MN); "Ralph Durstein (De)"; Robert Snook , "Roberta James (Md)", Robyn Bender (DC AG); Sally Magnani, Sarah Kogel-Smucker (DC); Sarah Morrison (CA AG); Scott Boak (ME); "Scott Koschwitz (Ct)"; Seth Schofield (MA); Skip Pruss (MI); Srolovic, Lemuel; Stephen St. Vincent (PA); Steve Novick (OR); Steven Goldstein (MD); Susan Shinkman (DC); Tania Maestas; Taylor Crabtree (NC); Tim Nord; "Timothy Sullivan (Ca)"; Tom Y (WA);

"Tracy Triplett (Ma)"; Tricia Jedele; Turner Smith (MA); "Valerie Edge (De)"; Wagner, Monica; Washburn, Peter;

William Grantham

Cc: Shterngel, Max

Subject: Multistate AG Coordination Call Today

Date: Tuesday, December 3, 2019 11:53:26 AM

Attachments: 2019 Table with Fall Unified Agenda Update.docx
Multistate Attorneys General List (Rev. 04.05.19).docx

All, the security code for today's 2 pm eastern call is materials for discussion. Also, it's been awhile since we last updated our multistate directory. Please review the attached version (from April) and send me any edits. We don't necessarily need to list everyone, but all attorneys who are regulars on the bi-monthly calls should be in the directory to facilitate communication between our offices. Thanks all.—Mike

https://www.supremecourt.gov/orders/courtorders/112519zor_8mj9.pdf (Supreme Court orders list, see pp. 17-18, Kavanaugh statement re. cert. denial in Paul v. U.S.)

https://s3.amazonaws.com/public-inspection.federalregister.gov/2019-26034.pdf (EPA advance notice of proposed rulemaking re. PFAS toxics inventory reporting requirements) https://www.epa.gov/sites/production/files/2019-

<u>11/documents/prepublication_copy_rmp_reconsideration_finalrule_frdocument_signed2019-11-20.pdf</u> (EPA final rule rolling back chemical accident safety requirements)

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From: Elaine Meckenstock

Subject:

Date:

"Myers, Michael"; Aaron Kleinbaum (NJ); Aaron Love (NJ); Adam Duh (PADEP); Aimee Thomson (PA AG); Alison To:

Hoffman (RI); Amy Beatie (CO); Andrea Baker; Andy Goldberg; Ann Johnston (PA); Anne Minard (NM); Arsenio Mataka; Asher Spiller; Aurora Janke; Beth Mullin (DC)"; "Bill F. Cooper (Hi)"; Bill Sherman -- WA AG"s office; Blake Thomas (NC); Bo Reiley; Brad Motl (WI); Brian Caldwell (DC); Burianek, Lisa; Carrie Noteboom (CO); Chris Ryder (PA DEP); Christie Vosburg; Christopher Courchesne; Cindy Chang (WA); Costello, Morgan; Dan Nubel (NV); Daniel Rottenberg (IL); David Apy (NJ); David Hoffman (DC); David Zaft; David Zonana; Dennis Beck; Dennis Ragen; Dianna Shinn (NJ); Dirth, Eric; Elizabeth Davis (PA DEP); Elizabeth Morrisseau; Emily Nelson (WA); Emily Vainieri; Eric Katz; Francisco Benzoni (NC AG); Greg Schultz; Heather Leslie; "Jacob Larson (Ia)"; James Moreno (PA DEP); Jameson Tweedie (DE); Jason James (IL); JB Howard (MD); Jennie Demianick (PA DEP); Jennifer Fradel (NJ); Jesse Walker; Jill Lacedonia (CT); Jillian Riley; Jonathan Wiener; Josh Auerbach; Josh Segal (MD); Kavita Lesser; "Kristen Furlan"; Kristen Mitchell (WA); Laura Watson; "Lauren Maxwell (DC)"; Leah Tulin (MD AG); Leigh Currie (MN); Leslie Frederickson (MN PCA); Leslie Seffern; Liz Rumsey; Lynn Angotti; Magliaro, Jeremy; Marc Bernstein (NC); Margaret Murphy (PA); Martin Goyette; Mary Sauer (ME); "Matthew Dunn (II)"; Matthew Levine; McCabe, Gavin; Megan Herzog; Megan Hey; Megan Ulrich (MDE); Melissa Hoffer; Menard, Brenda (NC); Michelle Moses (PA); Mike Fischer (PA AG); Nate Zolick (WI); Neil Gordon (MI); Persampieri, Nick; Oliver Larson (MN); Patrick Flanagan; Paul Garrahan; Paul Kugelman (VA); Pete Surdo (MN); Robert Snook; "Roberta James (Md)"; Robyn Bender (DC AG); Sally Magnani; Sarah Kogel-Smucker (DC); Sarah Morrison; Scott Boak (ME); "Scott Koschwitz (Ct)"; Scott Steinbrecher (CO); Seth Schofield (MA); Skip Pruss (MI); Srolovic, Lemuel; Stephen St. Vincent (PA); Steve Novick (OR); Steven Goldstein (MD); Susan Shinkman (DC); Tania Maestas; Taylor Crabtree (NC); Tim Nord; Timothy Sullivan; Tom Y (WA); "Tracy Triplett (Ma)";

Tricia Jedele; Turner Smith (MA); "Valerie Edge (De)"; Wagner, Monica; Washburn, Peter; William Grantham RE: Multistate AG Coordination Call Today Tuesday, December 17, 2019 2:49:11 PM Attachments: ECF No. 7--Amended complaint.pdf.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Attached is the amended complaint in *US v. California*, as discussed on our call today.

From: Myers, Michael [mailto:Michael.Myers@ag.ny.gov]

Sent: Tuesday, December 17, 2019 8:33 AM

To: Aaron Kleinbaum (NJ) <Aaron.Kleinbaum@law.njoag.gov>; Aaron Love (NJ)

<Aaron.Love@law.njoag.gov>; Adam Duh (PADEP) <aduh@pa.gov>; Aimee Thomson (PA AG)

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(NM) <aminard@nmag.gov>; Arsenio Mataka <Arsenio.Mataka@doj.ca.gov>; Asher Spiller

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All, the security code for today's 2 pm eastern call is topics for discussion.--Mike

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Subject: Multistate AG Coordination Call Today

Date: Tuesday, December 17, 2019 11:32:42 AM

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All, the security code for today's 2 pm eastern call is topics for discussion.--Mike

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