

High-level EPA Official Kelley Raymond Is Working On Finalizing The Trump EPA's Reclassification Of The "Once In, Always In" Policy, Which Regulates Toxic Air Pollution. This Appears To Be A Clear Conflict Of Interest As Her Former Employer, The National Association Of Manufacturers, Has Spent Over \$17.9 Million Lobbying The EPA On Repealing The Policy.

Since January 2018, Trump's EPA Has Been Working To Roll Back The "Once In, Always In" Policy, A Policy That Regulates Toxic Air Pollution Under The Clean Air Act.

The "Once In, Always In" Policy Refers To Regulating Hazardous Air Pollutants (HAPs) Under the Clean Air Act. "HAPs include benzene, metals, and other pollutants that are known to cause cancer and other serious health effects. A facility is considered a major source if it has the potential to emit 10 tons per year of any one HAP or 25 tons per year of any combination of HAPs. All other facilities are considered area sources." [[Harvard Environmental & Energy Law Program, 02/02/18](#)]

For Many Years EPA's Policy Has Been That A Major Source Remains A Major Source Even After Maximum Available Control Technology (MACT) Is Applied And The Facility Reduces Its Emissions. "MACT standards significantly limit hazardous air pollutants, often reducing emissions to below the major source thresholds of 10 and 25 tons per year." Once a facility has been identified as a major source, it "must continue to operate under the more stringent requirements and maintain MACT-level low emissions." [[Harvard Environmental & Energy Law Program, 02/02/18](#)]

Trump's EPA Has Been In The Process Of Rolling Back The "Once In, Always In" Policy For Toxic Air Pollution. "On January 25, 2018, The EPA Issued A Memo That Allowed A Major Source That Fell Below HAP Emissions Thresholds To Reclassify And No Longer Use MACT... On July 26, 2019, "EPA [published a proposed rule](#) to replace the "Once In, Always In" policy it withdrew in January 2018." [[Harvard Environmental & Energy Law Program, 02/02/18](#)]

This New Approach Will Very Possibly Result In A Large Increase In Pollution And "Would Be Counter To The Primary Goal Of The Clean Air Act Of Protecting Public Health And The Environment." "A different approach - allowing the source to reclassify as an area source after it reduces its emissions below the threshold - would replace the source's initial MACT requirements with less stringent requirements. The result could be a large increase in pollution. For example, after first applying the MACT, the source could switch to less effective pollution controls, or operate its controls less frequently or at lower removal efficiencies, and release more HAPs up to the major source threshold amounts. This increase could have significant health effects on local communities, especially those that are located near major sources of toxic air pollutants... Allowing a major source to stop operating with stringent controls would be counter to the primary goal of the Clean Air Act of protecting public health and the environment by minimizing emissions consistent with standards such as MACT-based ones." [[Harvard Environmental & Energy Law Program, 02/02/18](#)]

The National Association Of Manufacturers Supports Repealing The “Once In, Always In,” Policy. Since 2019, NAM Has Spent \$17,978,000 Lobbying The EPA On This Issue.

National Association of Manufacturers Supports Repealing The “Once In, Always In,” Policy.

The National Association of Manufacturers Called The EPA’s Initial Rollback Of The “Once In, Always In,” Policy A “Victory” And Their Leadership Has Testified Before Congress On Repealing The Rule. “The EPA’s bold and pragmatic move is a victory for National Association of Manufacturers (NAM) members...Throughout the course of 2017, the NAM called for reform of section 112 of the CAA in [comments](#) submitted to the EPA and [testimony](#) before the Senate Committee on Environment and Public Works. The committee also echoed the NAM’s sentiments. In a [letter](#) to EPA Administrator Scott Pruitt, Chairman John Barrasso (R-WY) and Subcommittee Chairman Shelley Moore Capito (R-WV) urged the agency to ‘. . . incentivize additional hazardous air pollutant emissions reductions by promptly withdrawing this policy.’ Manufacturers will continue to reduce their emissions because it is the right thing to do. The NAM believes the EPA’s change to how it interprets the ‘once in always in’ policy could lead to even greater reductions of the hazardous air pollutants covered by section 112 of the CAA. We hope the EPA’s new policy will further enable manufacturers to more expeditiously identify and adopt technological innovations that reduce air emissions and improve our environment. [[National Association of Manufacturers, 01/29/18](#)]

Since 2019, The National Association of Manufacturers Has Spent \$17,978,000 Lobbying The EPA On The “Once in, Always in” MACT Policy.

In The First Quarter of 2019, The National Association of Manufacturers Lobbied the EPA On The “Once in, Always in” MACT Policy, Spending \$2,300,000 On Lobbying That Quarter. [[LD-2 Disclosure Form, Q1 2019](#)]

In The Second Quarter of 2019, The National Association of Manufacturers Lobbied the EPA On The “Once in, Always in” MACT Policy, Spending \$1,900,000 On Lobbying That Quarter. [[LD-2 Disclosure Form, Q2 2019](#)]

In The Third Quarter of 2019, The National Association of Manufacturers Lobbied the EPA On The “Once in, Always in” MACT Policy, Spending \$2,030,000 On Lobbying That Quarter. [[LD-2 Disclosure Form, Q3 2019](#)]

In The Fourth Quarter of 2019, The National Association of Manufacturers Lobbied the EPA On The “Once in, Always in” MACT Policy Spending \$8,380,000 On Lobbying That Quarter. [[LD-2 Disclosure Form, Q4 2019](#)]

In The First Quarter of 2020, The National Association of Manufacturers Lobbied the EPA On The “Once in, Always in” MACT Policy Spending \$3,368,000 On Lobbying That Quarter. [[LD-2 Disclosure Form, Q1 2020](#)]

Kelley Raymond, A High-Ranking Political Appointee In EPA's Office of Air And Radiation, Previously Worked As A Lobbyist For The National Association Of Manufacturers, Where She Lobbied On Clean Air Act Reform.

Kelley Raymond Began Working As A Senior Adviser In The EPA's Office of Air And Radiation In November 2019. "Acting EPA air chief Anne Idsal today officially announced the hiring of lobbyist Kelley Raymond as a senior adviser in the Office of Air and Radiation, starting next Monday." [[E&E News, 10/30/19](#)]

Before Joining EPA, Raymond Was A Lobbyist For The Air-Conditioning, Heating and Refrigeration Institute And For The National Association of Manufacturers. "A lobbyist for the Air-Conditioning, Heating and Refrigeration Institute is going to work next week for EPA as a senior adviser in the agency's air office. Kelley Raymond, currently head of government relations for the industry trade group, confirmed the move to E&E News this afternoon after Frank Maisano, a senior principal at Bracewell LLP, a law and lobbying firm, mentioned it in an emailed tipsheet.... Raymond did not immediately reply to follow-up emailed inquiries about her new job responsibilities and her reason for moving to EPA. An agency spokesman had no comment today, but other sources confirmed the move. Raymond has been in her current position with the air conditioning institute since January 2017, according to her LinkedIn profile. Before that, she spent four years with the National Association of Manufacturers, the profile shows." [[E&E News, 10/28/19](#)]

As A Lobbyist For The National Association Of Manufacturers, Kelley Raymond Lobbied The EPA On "Clean Air Act Reform." Kelley Raymond lobbied on "Clean Air Act Reform" for the National Association of Manufacturers for every quarter of 2016. [[LD-2 Disclosure Form, Q1 2016](#); [LD-2 Disclosure Form, Q2 2016](#); [LD-2 Disclosure Form, Q3 2016](#); [LD-2 Disclosure Form, Q4 2016](#)]

Since Starting In The EPA's Office of Air And Radiation, Kelley Raymond Has Been Working On Finalizing The Trump EPA's "Once In, Always In" Policy.

Kelley Raymond Has Had at Least Two Meetings On The "Once In, Always In," Rule Reclassification.

Kelley Raymond, On Tuesday, December 17, 2019, Had A Meeting Called "Copy: Early Guidance for Final Rule Reclassification of Major Sources as Area Sources MM2A Under Section 112 of the Clean Air Act."

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▲

Time 10:00 AM – 10:45 AM

Subject Copy: Early Guidance for Final Rule Reclassification of Major Sources as Area Sources (MM2A) Under Section 112 of the Clean Air Act, Overview (Tier 25, SAN 4908)

Location WJC - N 5400 + Video with RTP + 202+ (b) (6) (b) (6)

Show Time As Busy

Attendees

Name <E-mail>	Attendance
Idsal, Anne <idsal.anne@epa.gov>	Organizer
Harlow, David <harlow.david@epa.gov>	Required
Campbell, Ann <Campbell.Ann@epa.gov>	Required
Raymond, Kelley <Raymond.Kelley@epa.gov>	Required

[\[Kelley Raymond Calendar, December 2019\]](#)

Kelley Raymond Had A Meeting On “Option Selection for Final Rule Reclassification of Major Sources as Area Sources (MM2A) Under Section 112 of the Clean Air Act” On Tuesday, March 17, 2020.

▲

Time 1:00 PM – 1:45 PM

Subject Option Selection for Final Rule Reclassification of Major Sources as Area Sources (MM2A) Under Section 112 of the Clean Air Act, Overview (Tier 2, SAN 4908)

Location WJC - N 5400 + Video with RTP + (b) (6) (b) (6)

Show Time As Busy

Attendees

Name <E-mail>	Attendance
Idsal, Anne <idsal.anne@epa.gov>	Organizer
Harlow, David <harlow.david@epa.gov>	Required
Campbell, Ann <Campbell.Ann@epa.gov>	Required
Raymond, Kelley <Raymond.Kelley@epa.gov>	Required

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[\[Kelley Raymond Calendar, March 2020\]](#)

Kelley Raymond Has Met With The National Association Of Manufacturers, Her Former Employer, Since Starting At EPA.

On Tuesday, February 18, 2020, Kelley Raymond Had A Meeting With Rachel Jones Of The National Association Of Manufacturers.

▲ Tue, Feb 18

<input type="checkbox"/>	Before 8:00 AM	Free	
<input type="checkbox"/>	8:00 AM – 8:30 AM	Free	
<input checked="" type="checkbox"/>	8:30 AM – 9:00 AM	Weekly Look Ahead	WJC-N 5400 Dominguez, Alexander
<input checked="" type="checkbox"/>	9:00 AM – 9:30 AM	Management Roundtable	WJC - N 5400 + Dial (b) (6) Conference ID: (b) (6) Participant Code: (b) (6) Idsal, Anne
<input checked="" type="checkbox"/>	9:30 AM – 10:00 AM	OTAQ Weekly	WJC - N 5400+ (b) (6) (b) (6) Idsal, Anne
<input type="checkbox"/>	10:00 AM – 10:15 AM	Free	
<input checked="" type="checkbox"/>	10:15 AM – 11:00 AM	Guidance EO	2369D WJCE Wildeman, Anna
<input checked="" type="checkbox"/>	11:00 AM – 11:45 AM	OAR Senior Staff	WJC - N 5400 + Video with C-174 and RTP + Dial (b) (6) (b) (6) Idsal, Anne
<input checked="" type="checkbox"/>	11:45 AM – 12:15 PM	Rachel Jones, NAM	

[[Kelley Raymond Calendar, February 2020](#)]

Rachel Jones Is Vice-President For Energy And Resources Policy At The National Association Of Manufacturers. [[National Association of Manufacturers, accessed 06/05/20](#)]

Another Ethically-Challenged EPA Official, David Harlow, Is Also Working On The Trump EPA's Repeal Of The "Once In, Always" In Policy.


David Harlow, Who Is Also Working On Repealing The "Once In, Always In" Policy, Previously Came Under Fire For Allegedly Breaking Ethics Rules To Help His Former Employer, The Now-Disbanded Utility Air Regulatory Group.

In April 2019, The House Energy and Commerce Committee Began Investigating David Harlow's Ties To Utility Air Regulatory Group (UARG), His Former Client. "The three Committee leaders want to know how UARG operates and whether Environmental Protection Agency (EPA) officials William Wehrum and David Harlow - who formerly represented UARG

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as Hunton attorneys – continue to illicitly serve their old client in their new capacities at EPA. Wehrum currently serves as the Assistant Administrator for the Office of Air and Radiation, while Harlow serves as the Office of Air and Radiation’s Senior Counsel...Many industry interests stand to profit significantly from the Trump EPA’s deregulatory agenda, especially the coal industry, which is of central importance to the members of UARG. Hunton receives millions of dollars every year from UARG members. The Committee leaders wrote that although Hunton claims to represent UARG in administrative and judicial proceedings, UARG [materials recently revealed](#) raise questions about the legal status of UARG and whether it is actually the members of UARG that are Hunton’s clients.” [\[House Energy & Commerce Committee, 04/01/19\]](#)

Based On EPA Calendars, It Appears That David Harlow Is Also Working On Rewriting The “Once In, Always In” Rule.

	Time	10:00 AM – 10:45 AM
	Subject	Copy: Early Guidance for Final Rule Reclassification of Major Sources as Area Sources (MM2A) Under Section 112 of the Clean Air Act, Overview (Tier 25, SAN 4908)
	Location	WJC - N 5400 + Video with RTP + 202+ (b) (6) (b) (6)
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	Attendees	
	Name <E-mail>	Attendance
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	Campbell, Ann <Campbell.Ann@epa.gov>	Required
	Raymond, Kelley <Raymond.Kelley@epa.gov>	Required

[\[Kelley Raymond Calendar, December 2019\]](#)

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	Raymond, Kelley <Raymond.Kelley@epa.gov>	Required

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[\[Kelley Raymond Calendar, March 2020\]](#)